

EXHIBIT B

**MATTHEW REYNOLDS
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<p>1 IN THE UNITED STATES DISTRICT COURT</p> <p>2 FOR THE EASTERN DISTRICT OF PENNSYLVANIA</p> <p>3 - - -</p> <p>4 MATTHEW REYNOLDS, :</p> <p>Plaintiff, :</p> <p>5 :</p> <p>-vs.- :</p> <p>6 :</p> <p>WILLERT MFG. CO., LLC, :</p> <p>7 Defendant. : No. 5:21-cv-01208-JFL</p> <p>8 - - -</p> <p>9 Thursday, August 26, 2021</p> <p>10 - - -</p> <p>11 Videoconferenced deposition of</p> <p>12 MATTHEW REYNOLDS, taken pursuant to notice, was</p> <p>13 held virtually in the State of Arizona,</p> <p>14 commencing at 9:59 a.m., on the above date,</p> <p>15 before Jared Carey, a Professional Reporter and</p> <p>16 Notary Public in and for the Commonwealth of</p> <p>17 Pennsylvania.</p> <p>18 - - -</p> <p>19 ESQUIRE DEPOSITION SERVICES</p> <p>1835 Market Street</p> <p>20 Suite 555</p> <p>Philadelphia, Pennsylvania 19103</p> <p>21 (215) 988-9191</p> <p>22</p> <p>23</p> <p>24</p>	<p>1 I N D E X</p> <p>2 WITNESS PAGE</p> <p>3 MATTHEW REYNOLDS</p> <p>4 BY: MS. FICARO 5</p> <p>5</p> <p>6</p> <p>7 E X H I B I T S</p> <p>8 MARKED DESCRIPTION PAGE</p> <p>9 Exhibit 1 Medical marijuana card 126</p> <p>10 Exhibit 2 Dispensary Information 131</p> <p>11 Exhibit 3 Email 145</p> <p>12 Exhibit 4 Offer letter 162</p> <p>13 Exhibit 5 Benefit package 170</p> <p>14 Exhibit 6 Job description 172</p> <p>15 Exhibit 7 List 199</p> <p>16 Exhibit 8 Drug screen 208</p> <p>17 Exhibit 9 Photographs 238</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>
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<p>1 APPEARANCES:</p> <p>2 LAW OFFICE OF STEVEN T. AUERBACH</p> <p>BY: STEVEN T. AUERBACH, ESQUIRE</p> <p>3 822 Montgomery Avenue, Suite 210</p> <p>Narberth, Pennsylvania 19072</p> <p>4 215.964.4410</p> <p>Attorney for the Plaintiff</p> <p>5 (Appearing via Zoom)</p> <p>6</p> <p>7 KAUFMAN, DOLOWICH & VOLUCK, LLP</p> <p>BY: EILEEN MONAGHAN FICARO, ESQUIRE</p> <p>8 1600 JFK Boulevard, Suite 1030</p> <p>Philadelphia, Pennsylvania 19103</p> <p>9 215.501.7002</p> <p>Attorney for the Defendant</p> <p>10 (Appearing via Zoom)</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p>1 DEPOSITION SUPPORT INDEX</p> <p>2</p> <p>3 Direction to Witness Not to Answer</p> <p>4 Page Line Page Line Page Line</p> <p>5 None</p> <p>6</p> <p>7</p> <p>8 Request for Production of Documents</p> <p>9 Page Line Page Line Page Line</p> <p>10 None</p> <p>11</p> <p>12</p> <p>13 Stipulations</p> <p>14 Page Line Page Line Page Line</p> <p>15 None</p> <p>16</p> <p>17</p> <p>18 Question Marked</p> <p>19 Page Line Page Line Page Line</p> <p>20 None</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>

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<p style="text-align: right;">Page 5</p> <p>1 - - -</p> <p>2 MATTHEW REYNOLDS, having been</p> <p>3 duly sworn, was examined and testified as</p> <p>4 follows:</p> <p>5 - - -</p> <p>6 EXAMINATION</p> <p>7 - - -</p> <p>8 BY MS. FICARO</p> <p>9 Q. Good morning, Mr. Reynolds. My</p> <p>10 name is Eileen Ficaró. I am an attorney at</p> <p>11 Kaufman, Dolowich & Voluck. And I represent the</p> <p>12 Defendant Willert Manufacturing Company in this</p> <p>13 matter. I am here today to take your</p> <p>14 deposition. Have you ever had your deposition</p> <p>15 taken before?</p> <p>16 A. No.</p> <p>17 Q. Have you ever testified in court</p> <p>18 before?</p> <p>19 A. No.</p> <p>20 Q. I will begin with a few</p> <p>21 instructions for you. As you can see there is a</p> <p>22 court reporter here who is on the Zoom video</p> <p>23 with us. And he is going to be taking down</p> <p>24 everything that both you and I say during this</p>	<p style="text-align: right;">Page 7</p> <p>1 before your deposition today?</p> <p>2 A. No.</p> <p>3 Q. Is there anything today that</p> <p>4 would affect your ability to understand my</p> <p>5 questions and answer them truthfully?</p> <p>6 A. No.</p> <p>7 Q. Where are you presently</p> <p>8 physically located?</p> <p>9 A. In my hotel room in Phoenix,</p> <p>10 Arizona.</p> <p>11 Q. Is anyone else in the hotel room</p> <p>12 in Arizona with you?</p> <p>13 A. No.</p> <p>14 Q. If anyone comes into your hotel</p> <p>15 room during the course of this deposition will</p> <p>16 you please let us know?</p> <p>17 A. Yes.</p> <p>18 Q. Why are you in Phoenix, Arizona?</p> <p>19 A. My current job has me out here</p> <p>20 for training.</p> <p>21 Q. Did you review any documents</p> <p>22 today in preparation for your deposition?</p> <p>23 A. Not today, no.</p> <p>24 Q. Did you review any documents at</p>
<p style="text-align: right;">Page 6</p> <p>1 deposition.</p> <p>2 As a result will you please make</p> <p>3 sure that you give verbal responses to the</p> <p>4 questions that I ask you?</p> <p>5 A. Yes.</p> <p>6 Q. Because he is going to be taking</p> <p>7 everything down that we both say it is important</p> <p>8 that we don't speak over one another during the</p> <p>9 deposition. So will you please wait until I</p> <p>10 finish my questions before you provide your</p> <p>11 answers?</p> <p>12 A. Certainly.</p> <p>13 Q. If I ask you a question and you</p> <p>14 answer it I will assume that you understood the</p> <p>15 question. If at any time I ask you a question</p> <p>16 and you don't understand what I'm asking, please</p> <p>17 ask me to rephrase. Okay?</p> <p>18 A. Yes.</p> <p>19 Q. I am here today not to have you</p> <p>20 guess at answers to my questions. But if you</p> <p>21 are able to estimate or approximate the answers</p> <p>22 to my questions would you please do so?</p> <p>23 A. Yes.</p> <p>24 Q. Did you take any medication</p>	<p style="text-align: right;">Page 8</p> <p>1 all at any time in preparation for your</p> <p>2 deposition?</p> <p>3 A. Yes.</p> <p>4 Q. What documents did you review in</p> <p>5 preparation for your deposition?</p> <p>6 A. Going to get the title wrong.</p> <p>7 But the Defendant's Response. There were some</p> <p>8 documents that I put together with facts and</p> <p>9 information so just to refresh my memory.</p> <p>10 Q. Were those all documents that</p> <p>11 have already been produced to us in this matter?</p> <p>12 And by us I mean to Willert.</p> <p>13 A. Yes. I believe so, yes.</p> <p>14 Q. Do you recall specifically what</p> <p>15 any of those documents were?</p> <p>16 A. These were -- I don't know if</p> <p>17 Steve would know exactly how they are presented</p> <p>18 to you. But I created them as PowerPoints.</p> <p>19 There was like a Defendant's Response to</p> <p>20 Interrogatories. Sorry.</p> <p>21 Q. Were they then documents that you</p> <p>22 then produced in response to questions that for</p> <p>23 which you were asked for information in this</p> <p>24 litigation?</p>

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<p style="text-align: right;">Page 9</p> <p>1 A. Yes. These were responses to 2 questions from the defense. 3 Q. Other than your attorney did you 4 speak to anyone else in preparation for your 5 deposition? 6 A. No. 7 Q. Other than your attorney have you 8 spoken to anyone else at any time prior to your 9 deposition in preparation for your deposition? 10 A. No. 11 Q. Could you please state and spell 12 your full name for the record. 13 A. Matthew David Reynolds. 14 M-A-T-T-H-E-W, D-A-V-I-D, R-E-Y-N-O-L-D-S. 15 Q. Do you currently go by any other 16 names? 17 A. Not legally. 18 Q. Do you have nicknames? 19 A. People call me Matt. 20 Q. Have you ever gone by any other 21 names other than Matthew David Reynolds or being 22 referred to as Matt? 23 A. No. 24 Q. What is your date of birth?</p>	<p style="text-align: right;">Page 11</p> <p>1 October. 2 Q. Does anyone else live at that 3 address with you? 4 A. Yes. 5 Q. Who else lives there with you? 6 A. Our two sons. 7 Q. What are their names? Let the 8 record reflect Mr. Reynolds' video has gone out. 9 A. I am back. Sorry. I had a 10 pop-up. My two sons live with us. 11 Q. What are their names? 12 A. So Logan Robert Reynolds and 13 Isaac Aaron Reynolds. 14 Q. How old is Logan? 15 A. He is 19. 16 Q. How old is Isaac? 17 A. He is 12. 18 Q. At the time that you worked for 19 Willert how old was Logan? 20 A. 18. 21 Q. At the time you worked for 22 Willert how old was Isaac? 23 A. 11. 24 Q. Have you ever been a party to any</p>
<p style="text-align: right;">Page 10</p> <p>1 A. April 7, 1979. 2 Q. What is your Social Security 3 Number? 4 A. 175-62-4685. 5 Q. Are you currently married? 6 A. Yes. 7 Q. Who are you married to? 8 A. My wife. 9 Q. What is her name? 10 A. Okay. Megan Ellen Reynolds. 11 Q. How long have you and 12 Mrs. Reynolds been married? 13 A. Since 2007. So I will say 14 14 years. 15 Q. Were you married at the time that 16 you worked for Willert Manufacturing Company? 17 A. Yes. 18 Q. Where do you currently live? 19 A. In Ephrata, Pennsylvania. 20 Q. What is your address? 21 A. 1586 Division Highway, Ephrata, 22 PA. Zip code is 17522. 23 Q. How long have you lived there? 24 A. Since 2016. So five years in</p>	<p style="text-align: right;">Page 12</p> <p>1 other lawsuits? 2 A. No. 3 Q. Have you ever sued an employer 4 before? 5 A. No. 6 Q. Have you ever sued any former 7 employers of yours before other than Willert? 8 A. No. 9 Q. Have you ever been arrested? 10 A. No. 11 Q. Have you ever been convicted of 12 any crimes? 13 A. No. 14 Q. Have you ever served in the 15 military? 16 A. No. 17 Q. What is the highest educational 18 degree that you hold? 19 A. Bachelor's of science. 20 Q. When did you earn your bachelor's 21 of science? 22 A. 2000. 23 Q. Where did you earn it from? 24 A. ITT Technical Institute.</p>

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<p style="text-align: right;">Page 13</p> <p>1 Q. Where is that located?</p> <p>2 A. That was in Norfolk, Virginia.</p> <p>3 Q. Did you graduate? Did you have a</p> <p>4 major when you graduated?</p> <p>5 A. Yes.</p> <p>6 Q. What was your major?</p> <p>7 A. Automated manufacturing</p> <p>8 technology.</p> <p>9 Q. What is automated manufacturing</p> <p>10 technology?</p> <p>11 A. It was a technical overview of</p> <p>12 the manufacturing process. So courses in</p> <p>13 hydraulics, pneumatics, controls. It was not a</p> <p>14 specific engineering degree like a electrical or</p> <p>15 mechanical.</p> <p>16 Q. When you referred to controls</p> <p>17 what are you referring to?</p> <p>18 A. The digital signals that</p> <p>19 coordinate equipment in a manufacturing process</p> <p>20 like the computer program that makes equipment</p> <p>21 run.</p> <p>22 Q. Are those controls/signals</p> <p>23 typically electronically powered?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 15</p> <p>1 program.</p> <p>2 Q. In what?</p> <p>3 A. That was an MBA business</p> <p>4 administration.</p> <p>5 Q. Were you accepted into that</p> <p>6 program?</p> <p>7 A. Unfortunately I was not.</p> <p>8 Q. Do you know why you were not</p> <p>9 accepted in that program?</p> <p>10 A. Yes. Accreditation. There were</p> <p>11 different accrediting bodies. So the university</p> <p>12 I was applying to didn't recognize the</p> <p>13 accreditation for the degrees that I held.</p> <p>14 Q. What university did you apply to</p> <p>15 for the master's degree program?</p> <p>16 A. I'm sorry. I don't remember at</p> <p>17 this time.</p> <p>18 Q. Did you ever apply for any other</p> <p>19 advanced degree programs?</p> <p>20 A. No.</p> <p>21 Q. Have you taken any continuing</p> <p>22 education courses since you left ITT Technical</p> <p>23 Institute?</p> <p>24 A. No.</p>
<p style="text-align: right;">Page 14</p> <p>1 Q. Did you have a minor in college</p> <p>2 at all?</p> <p>3 A. Yes. It was electronics</p> <p>4 engineering.</p> <p>5 Q. Were those two separate minors or</p> <p>6 was that one minor? Electronics engineering?</p> <p>7 A. That was one.</p> <p>8 Q. What is electronics engineering?</p> <p>9 A. So that's low voltage, small,</p> <p>10 like 12 to 24 volts DC. It is a study of the</p> <p>11 tiny components that go into devices, resistors,</p> <p>12 capacitors, chips.</p> <p>13 Q. How are those components</p> <p>14 typically powered?</p> <p>15 A. By low voltage DC, a 24-volt or</p> <p>16 12-a volt power supply.</p> <p>17 Q. Have you taken or -- have you</p> <p>18 engaged in any advanced learning since you left</p> <p>19 ITT Technical Institute?</p> <p>20 A. Not like counting -- I don't know</p> <p>21 if I understand the question.</p> <p>22 Q. Sure. Did you attempt to obtain</p> <p>23 any advanced degree after you left college?</p> <p>24 A. I did apply for a master's degree</p>	<p style="text-align: right;">Page 16</p> <p>1 Q. Have you earned any</p> <p>2 certifications in anything since you left ITT</p> <p>3 Technical?</p> <p>4 A. The only thing I believe that</p> <p>5 would fall under that -- well, let me make sure</p> <p>6 I understand the question. So would</p> <p>7 employer-sponsored training count for that?</p> <p>8 Q. So I will ask about that as well.</p> <p>9 A. Okay.</p> <p>10 Q. For now have you earned any</p> <p>11 industry certifications at all?</p> <p>12 A. I understand. No.</p> <p>13 Q. You mentioned employer-sponsored</p> <p>14 trainings. Since you left college what types of</p> <p>15 employer-sponsored trainings have you undergone?</p> <p>16 A. A front line supervisor boot camp</p> <p>17 and a 40-hour arc flash electrical safety</p> <p>18 program.</p> <p>19 Q. Where did you undergo the front</p> <p>20 line supervisor boot camp?</p> <p>21 A. Harley-Davidson Motor Company in</p> <p>22 York, Pennsylvania.</p> <p>23 Q. What types of things did you</p> <p>24 learn or were you taught during that boot camp?</p>

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<p style="text-align: right;">Page 17</p> <p>1 A. It was behavioral coaching mostly 2 geared towards navigating the intricate 3 relationship between the management and the 4 union in that environment. 5 Q. Were there any other topics that 6 were covered during the front line supervisor 7 boot camp? 8 A. Coaching. There is an emphasis 9 on character. And I can't speak further to 10 details on that. It's been a while. 11 Q. Do you receive any written course 12 materials as part of that frontline supervisor 13 boot camp? 14 A. I believe so. 15 Q. Do you still have a copy of those 16 written course materials? 17 A. I'm not certain. If I do it's in 18 a box in the garage somewhere. 19 Q. You mentioned that one of the 20 topics covered during that boot camp was 21 coaching. What type of coaching was covered 22 during that boot camp? 23 A. It would be behavioral correction 24 from a supervisor. I was a supervisor. So</p>	<p style="text-align: right;">Page 19</p> <p>1 Q. You also mentioned you 2 participated in a 40-hour arc flash safety 3 course, did you refer to it as? 4 A. Yes. 5 Q. Is that the proper title of the 6 course that you believe you underwent? 7 A. Yes. 8 Q. Where did you undergo that 9 course? 10 A. That was on site at 11 Harley-Davidson. 12 Q. When did you undergo that? 13 A. 2005. 14 Q. What topics were covered during 15 that course? 16 A. Electrical safety and the NFPA 17 70E electrical safety code. 18 Q. Were you taught anything about 19 lock out, tag out procedures during that course? 20 A. Yes. 21 Q. Do you recall what you were 22 taught about lock out, tag out procedures during 23 that course? 24 A. I would say lock, tag, verify.</p>
<p style="text-align: right;">Page 18</p> <p>1 behavioral correction conversations between a 2 supervisor and a employee and navigating those 3 conversations in such a way to get buy-in, to 4 get the employees to understand where the 5 company was coming from and take deeper 6 ownership of the direction that was being given 7 to them rather than just a command-and-conquer, 8 you will do this sort of thing. It's like seek 9 first to understand and be understood. 10 Q. When did you participate in that 11 front line supervisor boot camp? 12 A. This is going be an estimate. 13 2006. 14 Q. Where was that boot camp held? 15 A. Off site at a leased or rented 16 conference room in York, Pennsylvania. 17 Q. Did Harley-Davidson run that boot 18 camp or was it a third party who ran that boot 19 camp? 20 A. It was a third party. 21 Q. What was the name of the third 22 party that ran that boot camp? 23 A. I don't know and I don't know 24 that I ever did.</p>	<p style="text-align: right;">Page 20</p> <p>1 And I also want to say that I was not an 2 authorized user of lock out, tag out in that 3 case. It was a awareness for me so I could 4 enforce the policies. 5 Q. When you say you were not a 6 authorized user for lock out, tag out, what do 7 you mean by that? 8 A. It was a union environment. And 9 as a supervisor I was not authorized to touch 10 any equipment. I was nonunion. So I was 11 strictly forbidden to partake in any physical 12 work. 13 Q. You mentioned that you taught a 14 course of supervising. What did you learn 15 during that course about supervising lock out, 16 tag out procedures? 17 A. The proper procedures for 18 tradesmen to follow to ensure safety during 19 performance of maintenance tasks. 20 Q. As a supervisor then at that time 21 then what were your responsibilities with regard 22 to lock out, tag out procedures? 23 A. Observing the work and ensuring 24 that the rules or the procedures were followed.</p>

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<p style="text-align: right;">Page 21</p> <p>1 Q. If you saw that procedures were 2 not being followed would it be your 3 responsibility to correct the procedures to 4 ensure they were? 5 A. Do you mean correct as far as 6 coaching or instructing the employee? 7 Q. Yes. Was it your responsibility 8 to instruct the employee in terms of how to do 9 it correctly if you observe them doing it 10 incorrectly? 11 A. Yes. 12 Q. What else did you learn during 13 that course? 14 A. It was a overview of electrical 15 safety which includes personal protective 16 equipment. 17 Q. What did you learn about personal 18 protective equipment during that? 19 A. That there was different 20 categories of work and different in regards to 21 electrical work. And so each category requires 22 a different level of personal protective 23 equipment and different levels of safe work 24 practices to ensure the area is isolated, that</p>	<p style="text-align: right;">Page 23</p> <p>1 recall about what you were taught concerning 2 electrical voltages during that course? 3 A. No. 4 Q. Did you receive any certificate 5 of completion upon completion of the arc flash 6 safety course? 7 A. Yes. 8 Q. Do you still have a copy of that 9 certificate? 10 A. I don't believe so. I'm not sure 11 on that. 12 Q. What is an arc flash? 13 A. That's in general terms when 14 something bad happens in a electrical cabinet. 15 It can look like a bomb going off depending on 16 the incident level. 17 Q. Can arc flashes occur in 18 electrical cabinets containing any level of 19 voltage? 20 A. Not any level, no. 21 Q. How about voltages of a hundred 22 volts? 23 A. I'm uncertain honestly. 24 Q. Did you have in terms of your</p>
<p style="text-align: right;">Page 22</p> <p>1 bystanders are restricted from accessing the 2 work area so they don't become exposed to a 3 safety issue. 4 Q. Was there any discussion about 5 different voltages? 6 A. Yes. 7 Q. What did you learn about 8 electrical voltages during that course? 9 A. That relates to the categories. 10 So voltages relate to I think it's called like a 11 incident level. There is a calculation based on 12 the voltage inside of a cabinet which mandates 13 the level of personal protective equipment. I 14 can't quote those off the top of my head. 15 Q. Were you taught that any -- that 16 there were any voltages that were safe enough 17 for you to work with without personal protective 18 equipment? 19 A. I don't recall. 20 Q. Do you recall being taught that 21 any level of voltage can potentially be 22 dangerous? 23 A. Yes. 24 Q. Is there anything else that you</p>	<p style="text-align: right;">Page 24</p> <p>1 course work at ITT Technical, what type of 2 courses related to electrical work did you take 3 there? 4 A. In terms of electrical work there 5 was a safety awareness training which was not a 6 course. It was like a one-day classroom 7 session. The degree I received there was 8 focused on electronics, which is low level 9 signal voltages. When you say electrical work I 10 consider that to be like tradesmen-level 11 electrical service. 12 Q. Did you ever take any 13 tradesmen-level courses while at ITT Technical? 14 A. No. 15 Q. Have you taken any 16 tradesmen-level electric courses at any time 17 since you left ITT Technical? 18 A. No. 19 Q. Other than the two 20 employer-sponsored programs that you already 21 testified to, are there any other training 22 courses that you have completed since you left 23 ITT Technical? 24 A. I did one arc flash refresher</p>

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<p style="text-align: right;">Page 25</p> <p>1 training. It was a four-hour course.</p> <p>2 Q. When did you take the arc flash</p> <p>3 refresher training?</p> <p>4 A. 2018.</p> <p>5 Q. Where did you take the ark flash</p> <p>6 refresher training?</p> <p>7 A. It was in Harrisburg.</p> <p>8 Q. Who were you working for at the</p> <p>9 time you took the arc flash refresher training?</p> <p>10 A. That was Fleur De Lait.</p> <p>11 Q. How do you spell that?</p> <p>12 A. F-L-E-U-R. Then D-E, L-A-I-T.</p> <p>13 Q. Where is Fleur De Lait located?</p> <p>14 A. New Holland, Pennsylvania.</p> <p>15 Q. Did Fleur De Lait sponsor or host</p> <p>16 the arc flash refresher training course that you</p> <p>17 took?</p> <p>18 A. No.</p> <p>19 Q. Who did?</p> <p>20 A. That was a free course offered by</p> <p>21 a vendor that Fleur De Lait had a working</p> <p>22 relationship with.</p> <p>23 Q. What was the name of that vendor?</p> <p>24 A. I'm not sure. I can offer an</p>	<p style="text-align: right;">Page 27</p> <p>1 taken. And so I learned that over time it</p> <p>2 appeared that the governing body determined that</p> <p>3 there can be some changes made to make that a</p> <p>4 more -- more conducive to the real world</p> <p>5 honestly.</p> <p>6 Q. When you refer to the practices</p> <p>7 that these modifications were being made, to</p> <p>8 what types of practices were you referring to?</p> <p>9 A. I only want to speak to what I'm</p> <p>10 certain about. And I believe that was the</p> <p>11 boundaries and physical barriers.</p> <p>12 Q. Boundaries and physical barriers</p> <p>13 around what?</p> <p>14 A. So the original code required</p> <p>15 like temporary fencing to be placed around a</p> <p>16 work area. And that was for, if I remember</p> <p>17 correctly, that was for any hot work job where</p> <p>18 electricity was live in the cabinet. And if I</p> <p>19 remember correctly, the standard changed to</p> <p>20 where some basic troubleshooting can be done</p> <p>21 without those barriers.</p> <p>22 Q. When you refer to basic</p> <p>23 troubleshooting what are you referring to?</p> <p>24 A. Trying to diagnosis machine</p>
<p style="text-align: right;">Page 26</p> <p>1 estimate.</p> <p>2 Q. Okay. What is your estimate?</p> <p>3 A. I believe it was Schaedler Yesco.</p> <p>4 Q. How do you spell that?</p> <p>5 A. S-C-H-A-E-D-L-E-R. And then</p> <p>6 Y-E-S-C-O.</p> <p>7 Q. What did you learn during the arc</p> <p>8 flash refresher training course?</p> <p>9 A. It was a reinforcement of the</p> <p>10 personal protective equipment required. And it</p> <p>11 gave updates to the NFPA electrical safety code.</p> <p>12 I learned that that code is a very dynamic -- it</p> <p>13 goes through a lot of revisions.</p> <p>14 Q. What did you learn about that</p> <p>15 code during the refresher course?</p> <p>16 A. I learned that -- I learned that</p> <p>17 some of the practices around electrical work as</p> <p>18 far as recommended practices had been modified</p> <p>19 or changed.</p> <p>20 Q. How had they been modified or</p> <p>21 changed?</p> <p>22 A. They were in my opinion it was</p> <p>23 more work friendly. Meaning the 2005 code was</p> <p>24 very strict. It required numerous steps to be</p>	<p style="text-align: right;">Page 28</p> <p>1 issues through electrical -- I don't want to try</p> <p>2 to define the word with the word. But through a</p> <p>3 electrical troubleshooting process.</p> <p>4 Q. Would those involve situations</p> <p>5 where for example a machine's motor stopped</p> <p>6 working? When you refer to basic</p> <p>7 troubleshooting then would that be a situation</p> <p>8 where you would be referring to that type of a</p> <p>9 situation?</p> <p>10 A. Sure. Yes.</p> <p>11 Q. When you refer to a hot work job</p> <p>12 what are you referring to?</p> <p>13 A. Any time that lock out, tag out</p> <p>14 cannot be followed due to some kind of</p> <p>15 requirement within the task to enter that</p> <p>16 electrical enclosure with a live voltage being</p> <p>17 fed into it.</p> <p>18 Q. Why were you learning about those</p> <p>19 topic areas at that time?</p> <p>20 A. The same reasons that I had at</p> <p>21 Harley-Davidson. I was supervising a</p> <p>22 maintenance crew and awareness for me so that I</p> <p>23 could ensure the safety of the workers.</p> <p>24 Q. Before October 2020 had you ever</p>

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<p style="text-align: right;">Page 29</p> <p>1 undergone any OSHA training?</p> <p>2 A. Yes.</p> <p>3 Q. When?</p> <p>4 A. I will say 2008.</p> <p>5 Q. Where did you undergo that</p> <p>6 training?</p> <p>7 A. Harley-Davidson.</p> <p>8 Q. What type of OSHA training did</p> <p>9 you undergo at that time?</p> <p>10 A. That was called Hazwopper.</p> <p>11 Q. What topics were covered during</p> <p>12 the OSHA training?</p> <p>13 A. Waste clean-up, spill clean-up in</p> <p>14 a industrial environment primarily.</p> <p>15 Q. Were there any other topics that</p> <p>16 were covered?</p> <p>17 A. I don't recall.</p> <p>18 Q. Did the waste clean-up and spill</p> <p>19 clean-up that you learned during that training</p> <p>20 program, did that involve chemical clean-ups?</p> <p>21 A. It could.</p> <p>22 Q. When you refer to industrial</p> <p>23 environments, are those situations in which you</p> <p>24 may be dealing with equipment that is</p>	<p style="text-align: right;">Page 31</p> <p>1 Q. What type of OSHA training did</p> <p>2 you undergo at that time?</p> <p>3 A. Confined space.</p> <p>4 Q. When you are referring to</p> <p>5 confined space, what are you referring to?</p> <p>6 A. Those are -- the confined space</p> <p>7 is a restricted area with only one mode of</p> <p>8 egress that can be potentially hazardous, going</p> <p>9 into a tank, for example.</p> <p>10 Q. What type of tank?</p> <p>11 A. Any type of tank that is not</p> <p>12 constructed with the intention of human</p> <p>13 occupation.</p> <p>14 Q. Would that involve potentially</p> <p>15 tanks that hold chemicals?</p> <p>16 A. Yes.</p> <p>17 Q. Do you recall anything specific</p> <p>18 about what you learned regarding confined spaces</p> <p>19 during that training?</p> <p>20 A. Yes.</p> <p>21 Q. What do you recall having</p> <p>22 learned?</p> <p>23 A. Supervisory practices required to</p> <p>24 follow the procedures in regards to a safe</p>
<p style="text-align: right;">Page 30</p> <p>1 electronically powered?</p> <p>2 A. No. Typically not.</p> <p>3 Q. In the type of industrial</p> <p>4 environment that you were learning about in your</p> <p>5 OSHA training course taken in 2008, how was the</p> <p>6 machinery in those types of situations</p> <p>7 considered to be powered?</p> <p>8 A. In -- I feel like I can't give a</p> <p>9 all-encompassing statement. But in general</p> <p>10 these were spills not coming from power</p> <p>11 equipment. It would be other situations where</p> <p>12 chemicals being transported or otherwise</p> <p>13 handled.</p> <p>14 Q. Did you ever undergo any OSHA</p> <p>15 training other than the courses in 2008 that you</p> <p>16 just mentioned?</p> <p>17 A. Yes.</p> <p>18 Q. When else did you undergo OSHA</p> <p>19 training?</p> <p>20 A. I don't remember the exact year.</p> <p>21 But I can estimate it was 2003 or 2004.</p> <p>22 Q. Where did you undergo that</p> <p>23 training?</p> <p>24 A. Harley-Davidson.</p>	<p style="text-align: right;">Page 32</p> <p>1 confined space entry.</p> <p>2 Q. What did you learn about what</p> <p>3 needed to be done in order for those practices</p> <p>4 to be safe with regard to confined spaces?</p> <p>5 A. That there would be no exceptions</p> <p>6 in that environment at Harley to practices.</p> <p>7 Q. Does that mean at Harley-Davidson</p> <p>8 you were required to always follow safe</p> <p>9 practices with regard to confined spaces?</p> <p>10 A. Yes. And, again, I was not</p> <p>11 personally entering confined spaces. This was</p> <p>12 my part was a supervisory role making sure that</p> <p>13 the employees were following those safe work</p> <p>14 practices.</p> <p>15 Q. Is there any other OSHA training</p> <p>16 that you had undergone?</p> <p>17 A. I don't recall.</p> <p>18 Q. Is there any documentation of</p> <p>19 your completion of the OSHA courses that you</p> <p>20 testified to today?</p> <p>21 A. I don't believe I have any of</p> <p>22 those in my possession at this time.</p> <p>23 Q. When did you last have them in</p> <p>24 your possession?</p>

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<p style="text-align: right;">Page 33</p> <p>1 A. Probably -- this is an estimate. 2 2013. 3 Q. How did they come to leave your 4 possession? 5 A. My family moved a couple times 6 and things get shuffled in a move. 7 Q. Other than what you testified to 8 so far, are there any other training courses 9 that you have completed since you graduated from 10 ITT Technical? 11 A. I took a data analytics course. 12 I don't feel that relates to this specific 13 conversation much. 14 Q. When did you take the data 15 analytics course? 16 A. Estimating 2018. 17 Q. Where did you take the data 18 analytic course? 19 A. Online. 20 Q. Why did you take a data analytics 21 course? 22 A. I was interested in the topic. 23 Q. What type of data was being 24 analyzed during that course?</p>	<p style="text-align: right;">Page 35</p> <p>1 did you do? 2 A. I immediately -- I had been 3 offered a job at United Parcel Service. 4 Q. What job did you hold at United 5 Parcel Service? 6 A. It was a plant engineering role. 7 Q. What was your specific role with 8 regard to plant engineering at UPS? 9 A. The oversight of what they called 10 extended centers, satellite hubs to the main 11 hubs within their system -- hubs being 12 buildings. 13 Q. Before I ask a question about 14 that, when I refer to UPS I mean United Parcel 15 Service. Is that okay? Do you understand what 16 I'm saying when I refer to it as UPS? 17 A. Yes. They actually changed their 18 name to UPS. That's accurate. 19 Q. What did you do at UPS with 20 regard to oversight of the extended centers? 21 A. Vendor and contractor management 22 primarily. Also capital project development, 23 environmental compliance, and facility asset 24 protection.</p>
<p style="text-align: right;">Page 34</p> <p>1 A. There was no company-specific 2 data. It was for training on how to use Excel 3 to improve your ability to navigate large 4 quantities of data. 5 Q. Any other courses that you 6 completed since leaving ITT Technical? 7 A. I don't recall any others. 8 Q. Have you ever attended any 9 college or university other than ITT Technical? 10 A. No. 11 Q. When did you graduate from high 12 school? 13 A. 1997. 14 Q. Did you go straight from high 15 school to ITT Technical? 16 A. Yes. 17 Q. Where did you go to high school? 18 A. Northern York County School 19 District in Dillsburg, Pennsylvania. 20 Q. Did you go to York High School or 21 was it called Northern Work? 22 A. Northern York. That was the 23 formal name. 24 Q. After you graduated from ITT what</p>	<p style="text-align: right;">Page 36</p> <p>1 Q. What did vendor and contractor 2 management entail? 3 A. Preventative -- scheduling, 4 vendor and contractor activities and scheduling, 5 coordinating, ensuring payment for those 6 activities. 7 Q. What do you mean when you say 8 scheduling vendor and contractor meetings, were 9 you bringing vendors to the company? 10 A. They were service providers to 11 the company. 12 Q. Were these then vendors the 13 company would use to do various things for UPS? 14 A. They were performing on site 15 tasks. 16 Q. Were they performing on site 17 maintenance tasks or other types of tasks? 18 A. Correct. Like breakdown response 19 as well as preventative maintenance. 20 Q. Breakdown response with regard to 21 what? 22 A. Any of the -- anything that was 23 not a package car or a box on the UPS property. 24 Q. Was there any machinery that was</p>

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<p style="text-align: right;">Page 37</p> <p>1 used on the UPS property?</p> <p>2 A. Yes.</p> <p>3 Q. Would the breakdown work for</p> <p>4 which you were bringing in vendors pertain to</p> <p>5 breakdown work for that machinery?</p> <p>6 A. Yes.</p> <p>7 Q. When you say breakdown work, what</p> <p>8 are you referring to?</p> <p>9 A. Any equipment situation that</p> <p>10 would interrupt their ability to process</p> <p>11 packages or otherwise perform the work, mainly</p> <p>12 focused on packages.</p> <p>13 Q. What type of equipment then did</p> <p>14 they have in the facility to handle that?</p> <p>15 A. Conveyors, overhead doors, dock</p> <p>16 locks.</p> <p>17 Q. Was your role at UPS to simply</p> <p>18 bring the vendors in who would work on the</p> <p>19 machinery?</p> <p>20 A. Correct.</p> <p>21 Q. Did you have to watch them do the</p> <p>22 work on the machinery?</p> <p>23 A. It was not required, no.</p> <p>24 Q. Did you watch them do the work on</p>	<p style="text-align: right;">Page 39</p> <p>1 facilities outside of that one that I was</p> <p>2 coordinating processes for.</p> <p>3 Q. Would you travel from facility to</p> <p>4 facility?</p> <p>5 A. At times, yes.</p> <p>6 Q. When you were not traveling from</p> <p>7 facility to facility where was your office</p> <p>8 located?</p> <p>9 A. At the main hub in Roanoke,</p> <p>10 Virginia.</p> <p>11 Q. Was there machinery located at</p> <p>12 the main hub for which you needed to bring in</p> <p>13 vendors?</p> <p>14 A. Yes. As a secondary, I was the</p> <p>15 backup for that facility.</p> <p>16 Q. When you say backup, what do you</p> <p>17 mean?</p> <p>18 A. There was a plant engineer that</p> <p>19 had the ownership and responsibility for that</p> <p>20 entire facility. But if they were on vacation</p> <p>21 or otherwise unavailable I was expected to step</p> <p>22 in to handle any unexpected situations that came</p> <p>23 up.</p> <p>24 Q. Would that involve repairing any</p>
<p style="text-align: right;">Page 38</p> <p>1 the machinery?</p> <p>2 A. Occasionally. But not always.</p> <p>3 Just the logistics of it.</p> <p>4 Q. Was it your responsibility there</p> <p>5 at UPS to ensure the vendor completed the job on</p> <p>6 the machinery at issue?</p> <p>7 A. Do you mean like a physical</p> <p>8 verification?</p> <p>9 Q. Yes.</p> <p>10 A. In that case, no.</p> <p>11 Q. Was there another type of</p> <p>12 verification that you had to perform to ensure</p> <p>13 those vendors performed their job correctly on</p> <p>14 the machinery?</p> <p>15 A. Yes.</p> <p>16 Q. What type of verification did you</p> <p>17 do to make sure that that occurred?</p> <p>18 A. Communication primarily with the</p> <p>19 UPS staff on site.</p> <p>20 Q. Were you located on site at UPS</p> <p>21 while you worked there?</p> <p>22 A. I was at a UPS facility. I was</p> <p>23 responsible, again just to clarify, I was</p> <p>24 responsible for extended centers. So I had nine</p>	<p style="text-align: right;">Page 40</p> <p>1 machinery that broke?</p> <p>2 A. Me personally, no.</p> <p>3 Q. Would it involve ensuring that</p> <p>4 machinery that broke was repaired?</p> <p>5 A. Yes. Not necessarily through</p> <p>6 physical verification. But I had to know what</p> <p>7 was going on.</p> <p>8 Q. In terms of your work with regard</p> <p>9 to capital projects at UPS, what do you do?</p> <p>10 A. Developed scope of work,</p> <p>11 developed the cost estimates and proposed that</p> <p>12 project package up through the chain of command.</p> <p>13 I apologize. May I go to the restroom quick?</p> <p>14 Q. Sure.</p> <p>15 (Discussion held off the record.)</p> <p>16 BY MS. FICARO</p> <p>17 Q. Mr. Reynolds, what type of</p> <p>18 capital projects did you deal with at UPS?</p> <p>19 A. They refer to it as facility</p> <p>20 asset protection.</p> <p>21 Q. What type of projects were those</p> <p>22 then?</p> <p>23 A. Facility repairs, paving,</p> <p>24 overhead door replacements, conveyor</p>

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<p style="text-align: right;">Page 41</p> <p>1 modifications.</p> <p>2 Q. What was your job title at UPS?</p> <p>3 A. Plant engineering supervisor.</p> <p>4 Q. What did you earn at UPS?</p> <p>5 A. Annual salary?</p> <p>6 Q. Yes.</p> <p>7 A. Entry base level was \$42,000 a</p> <p>8 year.</p> <p>9 Q. Did you earn bonuses while you</p> <p>10 worked there?</p> <p>11 A. No.</p> <p>12 Q. How long did you work for UPS?</p> <p>13 A. Three years.</p> <p>14 Q. Was that then from</p> <p>15 approximately 2000 until 2003?</p> <p>16 A. Correct.</p> <p>17 Q. Why did you leave UPS?</p> <p>18 A. Actually I wanted to get back</p> <p>19 home.</p> <p>20 Q. Was home York, PA?</p> <p>21 A. Yes. And I had accepted a job</p> <p>22 offer at Harley-Davidson.</p> <p>23 Q. Were you asked to leave UPS?</p> <p>24 A. No.</p>	<p style="text-align: right;">Page 43</p> <p>1 then general facilities and grounds.</p> <p>2 Q. As the maintenance supervisor II</p> <p>3 did you supervise and coordinate equipment</p> <p>4 maintenance and repairs with regard to all of</p> <p>5 the equipment at Harley-Davidson during the time</p> <p>6 that you worked there?</p> <p>7 A. No. Not all.</p> <p>8 Q. So then the equipment that you</p> <p>9 supervised and coordinated repair and</p> <p>10 maintenance of was just the equipment that you</p> <p>11 previously testified to?</p> <p>12 A. Well, I feel like I should strike</p> <p>13 that prior response when I say "all." There</p> <p>14 were times when I was responsible for the</p> <p>15 supervision of all the maintenance employees on</p> <p>16 shift for the entire grounds, although that was</p> <p>17 not my primary job responsibility. There were</p> <p>18 times when I was indeed responsible for all</p> <p>19 activities on site.</p> <p>20 Q. When you say you were responsible</p> <p>21 for all of them, what did you do then with</p> <p>22 regard to those maintenance workers?</p> <p>23 A. What did I do? I would walk,</p> <p>24 talk, direct, work, clarify questions. And then</p>
<p style="text-align: right;">Page 42</p> <p>1 Q. Where is Harley-Davidson located?</p> <p>2 A. York, Pennsylvania.</p> <p>3 Q. When you began working for</p> <p>4 Harley-Davidson what was your job title there?</p> <p>5 A. Maintenance supervisor II.</p> <p>6 Q. Did your job title ever change</p> <p>7 during time you worked at Harley-Davidson?</p> <p>8 A. No.</p> <p>9 Q. As the maintenance supervisor II</p> <p>10 what were your job responsibilities?</p> <p>11 A. Supervising and coordinating</p> <p>12 equipment repairs, managing people.</p> <p>13 Q. What type of equipment -- for</p> <p>14 what type of equipment were you supervising and</p> <p>15 coordinating repairs?</p> <p>16 A. Manufacturing equipment related</p> <p>17 to the fabrication and assembly of</p> <p>18 Harley-Davidson motorcycles.</p> <p>19 Q. What type of equipment was that?</p> <p>20 A. Hydraulic presses, metal</p> <p>21 fabrication, chrome plating, paint shop, weld</p> <p>22 shop, waste treatment plant, facilities and</p> <p>23 grounds, housekeeping, environmental, hazardous</p> <p>24 waste clean-up, robotics, the assembly line and</p>	<p style="text-align: right;">Page 44</p> <p>1 there was a mix of planned project work that I</p> <p>2 would be directing as well as breakdown of</p> <p>3 maintenance and response, production support as</p> <p>4 well.</p> <p>5 Q. Did you physically oversee any</p> <p>6 work that individuals, maintenance employees,</p> <p>7 performed there?</p> <p>8 A. Overseeing, yes.</p> <p>9 Q. Does that mean you were</p> <p>10 physically present when you would perform work</p> <p>11 on the equipment?</p> <p>12 A. Not a hundred percent of the</p> <p>13 work. But, yes, I was present for various</p> <p>14 activities.</p> <p>15 Q. How was the equipment at</p> <p>16 Harley-Davidson during the time you worked there</p> <p>17 powered?</p> <p>18 A. Electricity, pneumatics for</p> <p>19 compressed air, steam, and I believe natural gas</p> <p>20 or propane, some kind of combustible.</p> <p>21 Q. Did you have to wear personal</p> <p>22 protective equipment when you worked at</p> <p>23 Harley-Davidson?</p> <p>24 A. Yes.</p>

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<p style="text-align: right;">Page 45</p> <p>1 Q. What type of personal protective 2 equipment did you have to wear? 3 A. Steel-toed boots, safety glasses, 4 ear plugs. 5 Q. Anything else? 6 A. No. 7 Q. With regard to the equipment that 8 was electronically powered did you ever interact 9 with the electrical panels associated with that 10 equipment? 11 A. Personally like as far as me 12 interacting with those personally? 13 Q. Yes. 14 A. No. 15 Q. Did you ever have to inspect the 16 electrical panels? 17 A. Do you mean internally like with 18 the panels open or just like physically where 19 they are placed? 20 Q. I will say both ways. Physically 21 where they were placed did you have to inspect 22 the electrical panels? 23 A. Yes. 24 Q. Were you ever present when any of</p>	<p style="text-align: right;">Page 47</p> <p>1 A. 2003 to 2009. So six years. 2 Q. When you left Harley-Davidson 3 what were you earning there? 4 A. My last W-2 was \$93,000 I 5 believe. 6 Q. Did you have an opportunity to 7 earn bonuses while you were there? 8 A. No. 9 Q. Was that because you were not 10 eligible for bonuses while you were there? Or 11 because there was no opportunity for you to even 12 try to earn a bonus there? 13 A. There was no bonus structure, at 14 least not for the role which I held. 15 Q. Why did you leave Harley-Davidson 16 in 2009? 17 A. I accepted a offer at Fleur De 18 Lait. 19 Q. Were you asked to leave 20 Harley-Davidson? 21 A. No. 22 Q. Did you ever receive any poor 23 performance reviews at Harley-Davidson while you 24 worked there?</p>
<p style="text-align: right;">Page 46</p> <p>1 electrical panels were open? 2 A. Yes. 3 Q. For what purposes would you be 4 present when an electrical panel was open? 5 A. Primarily that would be to 6 understand what was going on during the 7 troubleshooting process. So I would be outside 8 of the restricted boundary. But I had to speak 9 to the work in progress. 10 So if there was a job going on 11 during shift change the more information I had 12 the better because then I could communicate to 13 the incoming shift supervisor so they would know 14 what is going on. So I was there to talk to 15 employees and ask them questions, just make sure 16 that I had as complete of a story as possible to 17 share with other management. 18 Q. In terms of supervising and 19 overseeing the maintenance workers who were 20 working at Harley-Davidson while you worked 21 there, did that involve ensuring their safety? 22 A. Yes. 23 Q. How long did you work at 24 Harley-Davidson?</p>	<p style="text-align: right;">Page 48</p> <p>1 A. No. 2 Q. Did you ever receive any written 3 reprimands for work that you performed at 4 Harley-Davidson? 5 A. No. 6 Q. Were you ever the subject of any 7 disciplinary action while you worked at 8 Harley-Davidson? 9 A. No. 10 Q. Did you apply for the job at 11 Fleur De Lait or were you recruited to go work 12 there? 13 A. A recruiter located me. 14 Q. What type of company is Fleur De 15 Lait? 16 A. They are food production. They 17 make cream cheese. 18 Q. What was your job title at Fleur 19 De Lait? 20 A. I had two. Initially it was 21 maintenance engineer. And let's see. Three or 22 four years later I was promoted to maintenance 23 manager. 24 Q. As the maintenance engineer what</p>

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<p style="text-align: right;">Page 49</p> <p>1 were your job responsibilities?</p> <p>2 A. Supervising the spare parts crib</p> <p>3 attendant, supervising vendors and outside</p> <p>4 contractor activity, supervising the ammonia</p> <p>5 refrigeration system activities, and supervising</p> <p>6 the waste water treatment plant operator and</p> <p>7 those operations as well as backup support for</p> <p>8 the primary maintenance supervisor when he was</p> <p>9 otherwise unavailable.</p> <p>10 Q. Where is Fleur De Lait located?</p> <p>11 A. New Holland, Pennsylvania.</p> <p>12 Q. Did you visit one facility or</p> <p>13 does it have multiple facilities?</p> <p>14 A. There were four buildings</p> <p>15 associated with the company in that locale.</p> <p>16 Q. Were those four buildings all</p> <p>17 located on the same property?</p> <p>18 A. No.</p> <p>19 Q. How far apart from each other</p> <p>20 were those buildings located?</p> <p>21 A. Approximately an eighth of a</p> <p>22 mile.</p> <p>23 Q. Did you work primarily in one</p> <p>24 building or out of all the buildings?</p>	<p style="text-align: right;">Page 51</p> <p>1 and we didn't have a spare part I might run down</p> <p>2 to Lancaster and get it. But otherwise it was</p> <p>3 primarily communication, coordination, people</p> <p>4 management, you know, walking the floor and</p> <p>5 being available, you know.</p> <p>6 A customer service aspect with</p> <p>7 the operators. My motto as maintenance became</p> <p>8 "we are here to help." So just being out there</p> <p>9 and talking to the operators and understanding</p> <p>10 what their issues were so that I could</p> <p>11 communicate that with the maintenance employees.</p> <p>12 Q. If there was a issue with regard</p> <p>13 to a piece of machinery at Fleur De Lait would</p> <p>14 you be the first person who was called to</p> <p>15 troubleshoot that issue?</p> <p>16 A. No.</p> <p>17 Q. Who would be the first person</p> <p>18 called to troubleshoot that issue?</p> <p>19 A. They had a paging system. So it</p> <p>20 would be a general page to maintenance which</p> <p>21 meant any of the available hourly maintenance</p> <p>22 staff which were on site at the time.</p> <p>23 Q. Were you ever called to</p> <p>24 troubleshoot issues with machinery at Fleur De</p>
<p style="text-align: right;">Page 50</p> <p>1 A. Primarily out of the one</p> <p>2 building.</p> <p>3 Q. Did you ever -- was there any</p> <p>4 machinery located in the building that you</p> <p>5 worked out of?</p> <p>6 A. Yes.</p> <p>7 Q. What type of machinery?</p> <p>8 A. So milk and cream processing</p> <p>9 equipment as well as food packaging equipment</p> <p>10 and then cooling and refrigeration.</p> <p>11 Q. What type of machines were</p> <p>12 involved in the milk and cream processing?</p> <p>13 A. Silos, tanks, homogenizers,</p> <p>14 separators, pumps, valves.</p> <p>15 Q. Was there a mixing of chemicals</p> <p>16 that occurred in the facility where you were</p> <p>17 located in order to process the milk and cream?</p> <p>18 A. No.</p> <p>19 Q. What did you actually do to</p> <p>20 oversee -- rather to supervise the maintenance</p> <p>21 of that machinery there?</p> <p>22 A. That was similar to</p> <p>23 Harley-Davidson. I was involved in coordinating</p> <p>24 spare parts, though. So if there is a breakdown</p>	<p style="text-align: right;">Page 52</p> <p>1 Lait?</p> <p>2 A. Yes.</p> <p>3 Q. Were you often called to</p> <p>4 troubleshoot machinery issues at Fleur De Lait?</p> <p>5 A. No.</p> <p>6 Q. About how often were you called</p> <p>7 to troubleshoot issues with machinery at Fleur</p> <p>8 De Lait?</p> <p>9 A. Maybe monthly.</p> <p>10 Q. On those occasions what would you</p> <p>11 have to do?</p> <p>12 A. Usually I was called when</p> <p>13 somebody was responding. So it was rare, if</p> <p>14 not -- I don't want to say never. But it was</p> <p>15 rare that I was actually troubleshooting. But I</p> <p>16 was called to the site of the problem. The</p> <p>17 problem would be explained to me. If I</p> <p>18 understood it well enough that I could direct</p> <p>19 the hourly employee or help them coach them</p> <p>20 through a corrective action I would do that.</p> <p>21 And then, you know, usually there</p> <p>22 was a reason why no other maintenance folks were</p> <p>23 available. So I would be then following up to</p> <p>24 go find a maintenance employee to try to get</p>

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<p style="text-align: right;">Page 53</p> <p>1 them out there to get things taken care of. I</p> <p>2 can't carry tools, for example. I had a cup of</p> <p>3 coffee and a pen -- well, not a cup of coffee on</p> <p>4 the production floor, but clipboard, pen,</p> <p>5 flashlight.</p> <p>6 Q. And in terms of the coaching of</p> <p>7 individuals through corrective actions, were you</p> <p>8 personally present with those employees when you</p> <p>9 would be coaching them?</p> <p>10 A. Yes.</p> <p>11 Q. Did those corrective actions ever</p> <p>12 involve issues concerning electrical panels</p> <p>13 associated with the equipment there?</p> <p>14 A. No.</p> <p>15 Q. What would happen when there was</p> <p>16 an issue with the powering of the machines</p> <p>17 there?</p> <p>18 A. We had a journeyman electrician</p> <p>19 on site. And he was the first point of contact</p> <p>20 for those issues. We also had a automation and</p> <p>21 controls technician which is a very similar role</p> <p>22 that was also primary point of contact.</p> <p>23 Q. Did you oversee the work,</p> <p>24 supervise the work, the journeyman electrical</p>	<p style="text-align: right;">Page 55</p> <p>1 answer. So I was a sounding board for him</p> <p>2 during the troubleshooting process was my role</p> <p>3 in that primarily.</p> <p>4 Q. In your role as a maintenance</p> <p>5 engineer at Fleur De Lait, was it your</p> <p>6 responsibility to ensure that issues with the</p> <p>7 machinery were troubleshot?</p> <p>8 A. Primarily, no.</p> <p>9 Q. Was it part of your</p> <p>10 responsibilities?</p> <p>11 A. At times when the primary</p> <p>12 maintenance supervisor was unavailable.</p> <p>13 Q. When you became maintenance</p> <p>14 manager at Fleur De Lait, what were your job</p> <p>15 responsibilities as a maintenance manager?</p> <p>16 A. That included all the job</p> <p>17 responsibilities I had as a maintenance engineer</p> <p>18 with the additional responsibility of I was</p> <p>19 responsible for the budget. So the money that</p> <p>20 was being spent and accounting for that,</p> <p>21 developing budget forecasts, developing capital</p> <p>22 project proposals up to \$50,000, maintain a</p> <p>23 relationship with our sister company next door</p> <p>24 in part of the same building.</p>
<p style="text-align: right;">Page 54</p> <p>1 individual would perform on site?</p> <p>2 A. Yes.</p> <p>3 Q. Would you be physically present</p> <p>4 when you were overseeing that work?</p> <p>5 A. At times. Not 100 percent of the</p> <p>6 time.</p> <p>7 Q. Was ensuring that the journeyman</p> <p>8 electrical individual on site properly</p> <p>9 troubleshot that issue, did that fall under your</p> <p>10 umbrella of supervisory responsibility at Fleur</p> <p>11 De Lait?</p> <p>12 A. In terms of -- a clarification</p> <p>13 question. Do you mean in terms of following</p> <p>14 electrical safe work practices or the actual</p> <p>15 troubleshooting steps?</p> <p>16 Q. I'm referring to actual</p> <p>17 troubleshooting steps.</p> <p>18 A. Generally, no. The closest I</p> <p>19 would come to actually troubleshooting would be</p> <p>20 listening to his assessment of the situation. I</p> <p>21 would be a sounding board for that guy. He</p> <p>22 would talk through what he had seen so far. And</p> <p>23 I might ask questions or sometimes when you say</p> <p>24 something out loud you hear yourself say the</p>	<p style="text-align: right;">Page 56</p> <p>1 Q. As the maintenance manager was it</p> <p>2 your responsibility at Fleur De Lait to ensure</p> <p>3 that all of the machinery there was properly</p> <p>4 maintained and repaired when necessary?</p> <p>5 A. Yes. Well, let me clarify. Do</p> <p>6 you mean like a hundred percent inspection or</p> <p>7 verification of all jobs? Or just the ownership</p> <p>8 and responsibility for work being performed</p> <p>9 correctly and people understanding procedures,</p> <p>10 being trained in those procedures and following</p> <p>11 those procedures?</p> <p>12 Q. You tell me, Mr. Reynolds. As</p> <p>13 the maintenance manager there, was it your</p> <p>14 responsibility to ensure that the machinery</p> <p>15 there was properly maintained?</p> <p>16 A. In terms of policy, yes. In</p> <p>17 terms of a hundred percent inspection of every</p> <p>18 job, no. But it was a food plant and extensive</p> <p>19 regulation comes along with that. So there is</p> <p>20 personal liability and ownership of ensuring</p> <p>21 that rules are followed and a number of other</p> <p>22 regulating bodies. So ultimately that</p> <p>23 responsibility fell to my position.</p> <p>24 Q. Just so I'm clear then when you</p>

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<p style="text-align: right;">Page 57</p> <p>1 say in terms of policy, yes, what do you mean by 2 that?</p> <p>3 A. So for example there is a tool 4 reconciliation policy that when a employee would 5 go work on a machine there was a verification 6 process to make sure that those tools were 7 extracted from the machine before returning it 8 to production. And so there would be scheduled 9 audits of our paperwork to see if employees were 10 following that. And if it was discovered that 11 those policies were not being followed I was 12 responsible to train or coach or if it would 13 extend to disciplinary action then whatever 14 remediation was required that the responsibility 15 for making those corrective actions fell to me.</p> <p>16 Q. How long did you hold the 17 position of maintenance manager at Fleur De 18 Lait?</p> <p>19 A. 2013 to 2019. So that was six 20 years.</p> <p>21 Q. Why did you leave Fleur De Lait?</p> <p>22 A. I found a -- I was offered a job 23 at a company called Grosfillex which I would 24 have to spell for you if you are interested.</p>	<p style="text-align: right;">Page 59</p> <p>1 bonus?</p> <p>2 A. Yes.</p> <p>3 Q. Do you recall what those 4 requirements were the last year that you worked 5 for Fleur De Lait?</p> <p>6 A. Safety, quality, maintenance 7 performance, budget performance, and capital 8 project completion and process improvements and 9 waste treatment plant compliance.</p> <p>10 Q. Were there certain things that 11 needed to be met with regard to each of those 12 categories in order for you to earn the bonus?</p> <p>13 A. Yes.</p> <p>14 Q. Did you achieve those goals in 15 your last three years that you worked at Fleur 16 De Lait?</p> <p>17 A. I achieved a high percentage of 18 those goals. I didn't hit a hundred percent on 19 all of the metrics.</p> <p>20 Q. Were you ever the subject to any 21 disciplinary action at Fleur De Lait?</p> <p>22 A. No.</p> <p>23 Q. Did you ever receive any written 24 reprimands while you worked for Fleur De Lait?</p>
<p style="text-align: right;">Page 58</p> <p>1 Q. When you left Fleur De Lait what 2 were you earning?</p> <p>3 A. I believe my last W-2 there was 4 \$92,750 plus or minus.</p> <p>5 Q. Did you earn any bonuses while 6 you were at Fleur De Lait?</p> <p>7 A. Yes.</p> <p>8 Q. Did you earn a bonus every year 9 that you worked at Fleur De Lait?</p> <p>10 A. Yes.</p> <p>11 Q. When you last left Fleur De Lait 12 what was the last bonus amount that you had 13 received?</p> <p>14 A. I believe this is an estimate. 15 But I believe it was a 12 percent bonus on my 16 annual salary.</p> <p>17 Q. How about the year before you 18 left Fleur De Lait, was it also 12 percent 19 bonus?</p> <p>20 A. I can't remember exactly. But 21 every year it was within I would say 11 to 22 13 percent.</p> <p>23 Q. Were there certain requirements 24 that you had to meet in order to earn that</p>	<p style="text-align: right;">Page 60</p> <p>1 A. No.</p> <p>2 Q. Did you ever receive any negative 3 performance evaluations while you worked at 4 Fleur De Lait?</p> <p>5 A. No.</p> <p>6 Q. Did you receive written job 7 performance evaluations while you worked at 8 Fleur De Lait?</p> <p>9 A. Written job evaluations? There 10 was a annual performance review process.</p> <p>11 Q. Did you receive annual written 12 performance reviews?</p> <p>13 A. So not in the sense that they 14 were written by somebody else.</p> <p>15 Q. Did you have to perform complete 16 self-evaluations each year at Fleur De Lait?</p> <p>17 A. Yes.</p> <p>18 Q. Did you receive anything in 19 writing back from anyone at Fleur De Lait about 20 your performance evaluations each year?</p> <p>21 A. Yes. There was a feedback loop.</p> <p>22 Q. Do you have copies of written 23 performance evaluations that you received while 24 working at Fleur De Lait?</p>

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<p style="text-align: right;">Page 61</p> <p>1 A. I'm not sure.</p> <p>2 Q. Did you at any time have copies</p> <p>3 of written performance evaluations that you</p> <p>4 received at Fleur De Lait?</p> <p>5 A. I don't believe I got a hundred</p> <p>6 percent of them.</p> <p>7 Q. Do you still possess copies of</p> <p>8 any of the written performance evaluations that</p> <p>9 you received while working at Fleur De Lait?</p> <p>10 A. I don't believe so.</p> <p>11 Q. Do you recall when you last</p> <p>12 possessed copies of any written performance</p> <p>13 evaluations you received while working at Fleur</p> <p>14 De Lait?</p> <p>15 A. 2019 when I still worked there.</p> <p>16 Q. After you left there did you get</p> <p>17 rid of the written performance evaluations?</p> <p>18 A. I don't believe I took them with</p> <p>19 me. I don't believe I took them with me.</p> <p>20 Q. Do you have a copy your personnel</p> <p>21 file from Fleur De Lait?</p> <p>22 A. No.</p> <p>23 Q. Why did you leave Fleur De Lait?</p> <p>24 A. I accepted a role at Grosfillex.</p>	<p style="text-align: right;">Page 63</p> <p>1 with, if any?</p> <p>2 A. No. Oh, the recruiter's name was</p> <p>3 Tamara. I don't remember her last name. And I</p> <p>4 don't remember the company. But I remember her</p> <p>5 name was Tamara.</p> <p>6 Q. Do you have copies of any written</p> <p>7 communications between you and Tamara during</p> <p>8 that time?</p> <p>9 A. That's unknown.</p> <p>10 Q. When you communicated with her in</p> <p>11 writing, was it via email or hard copies?</p> <p>12 A. Email.</p> <p>13 Q. What email account did you use to</p> <p>14 communicate with her?</p> <p>15 A. That was a Gmail account.</p> <p>16 Q. What is that email address?</p> <p>17 A. Soundmindservices@gmail.com.</p> <p>18 Q. Was that the Gmail account you</p> <p>19 used or that she was using?</p> <p>20 A. That was mine.</p> <p>21 Q. What is Sound Mind Services?</p> <p>22 A. Just a name I made up back in the</p> <p>23 early 2000s.</p> <p>24 Q. So you mentioned then the name of</p>
<p style="text-align: right;">Page 62</p> <p>1 Q. Were you interviewing for jobs at</p> <p>2 that time?</p> <p>3 A. Yes.</p> <p>4 Q. Why?</p> <p>5 A. Work/life balance.</p> <p>6 Q. Were you looking for a better</p> <p>7 work/life balance than what you felt you had at</p> <p>8 Fleur De Lait?</p> <p>9 A. Correct.</p> <p>10 Q. What was your criticism of the</p> <p>11 work/life balance at Fleur De Lait?</p> <p>12 A. There were 24/7 phone support</p> <p>13 that resulted in numerous wake-up calls in the</p> <p>14 middle of the night a few times a week, two or</p> <p>15 three in the morning, as well as being called in</p> <p>16 Christmas night, Easter morning -- interrupts to</p> <p>17 family life.</p> <p>18 Q. Did you use a recruiter to find</p> <p>19 your next job?</p> <p>20 A. Yes.</p> <p>21 Q. What recruiter did you use?</p> <p>22 A. I don't remember honestly.</p> <p>23 Q. Do you recall the name of the</p> <p>24 company that recruiter may have been affiliated</p>	<p style="text-align: right;">Page 64</p> <p>1 the company that you worked with after Fleur De</p> <p>2 Lait. Would you mind saying it again and</p> <p>3 spelling it for us, please?</p> <p>4 A. Sure. It was Grosfillex.</p> <p>5 G-R-O-S-F-I-L-L-E-X.</p> <p>6 Q. What is Grosfillex?</p> <p>7 A. They are a privately owned French</p> <p>8 company that manufactures commercial plastic</p> <p>9 furniture.</p> <p>10 Q. Where is Grosfillex located?</p> <p>11 A. Robesonia. There is two plants.</p> <p>12 There is one in Robesonia and there is one in</p> <p>13 Lebanon, Pennsylvania.</p> <p>14 Q. Which facility did you work at?</p> <p>15 A. Both. My office was located in</p> <p>16 Robesonia.</p> <p>17 Q. When you began working at</p> <p>18 Grosfillex what was your job title?</p> <p>19 A. Maintenance manager.</p> <p>20 Q. As the maintenance manager what</p> <p>21 were your job responsibilities?</p> <p>22 A. Supervising maintenance staff,</p> <p>23 hiring. I never fired anybody. But that would</p> <p>24 have fallen under my responsibility. Coaching,</p>

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<p style="text-align: right;">Page 65</p> <p>1 coordinating maintenance work as well as project 2 work. 3 Q. In terms of coordinating 4 maintenance work, what did that entail in terms 5 of your job responsibilities? 6 A. Setting priorities for the 7 maintenance employees, communicating and 8 coordinating amongst the management staff and 9 the production staff so that everybody was on 10 the same page as far as what was happening when 11 equipment would be returned to service and when 12 equipment needed to be made available for 13 service. 14 Q. In terms of supervising the 15 maintenance staff, what did your job 16 responsibilities entail? 17 A. Communication, providing 18 direction, coaching, purchasing as far as spare 19 parts or tools, setting priorities again. 20 Occasionally I would drive somewhere for spare 21 parts if there was a crisis breakdown and we 22 needed some parts. 23 Q. What types of things would you 24 provide correction and coaching to the employees</p>	<p style="text-align: right;">Page 67</p> <p>1 how much they weighed individually. 2 Q. How was the injection molding 3 machine powered? 4 A. Electricity. 5 Q. Were any chemicals placed into 6 the injection molding machine? 7 A. No. 8 Q. At Grosfillex did they mix or 9 process any chemicals? 10 A. The paint shop would have had 11 thinners for clean-up. Does that fit your 12 question? 13 Q. Were those thinners chemicals? 14 A. Yes. 15 Q. Were those thinners mixed and 16 processed at Grosfillex? 17 A. No. They were not mixed. 18 Q. As part of your job 19 responsibilities as the maintenance manager at 20 Grosfillex, did you oversee and supervise the 21 maintenance and repair of injection molding 22 machinery? 23 A. Yes. 24 Q. What types of tasks did you</p>
<p style="text-align: right;">Page 66</p> <p>1 at Grosfillex? 2 A. So coaching, housekeeping in the 3 maintenance shop, trying to improve overall 4 appearance, directions as far as again setting 5 priorities to make sure the most important tasks 6 got done quickly. 7 Q. What did you actually do to set 8 priorities? 9 A. I would be -- I used emails, 10 phone calls, personal interaction. I posted 11 work schedules, those things. 12 Q. Was there any machinery located 13 at the facilities where you worked for 14 Grosfillex? 15 A. Yes. 16 Q. What types of machinery? 17 A. At Robeson it was injection 18 molding and in Lebanon it was a paint line, 19 automated paint conveyor line. 20 Q. How big were the injection 21 molding machines? 22 A. In general terms roughly the size 23 of a school bus. They were 1,200 ton and 1,800 24 ton. That is the pressure they provided, not</p>	<p style="text-align: right;">Page 68</p> <p>1 perform to supervise and oversee the maintenance 2 of the injection molding machines? 3 A. My tasks were coordination, 4 communication, follow-up, setting priorities, 5 ensuring proper staffing is available, ensuring 6 that proper spare parts were available, 7 coordinating outside vendor support if specific 8 technical resources were required. I believe 9 those are the -- yeah. I will stop there. 10 Q. What role did you play with 11 regard to the repair of the injection molding 12 machines? 13 A. Coordinator or manager. 14 Q. By coordinator what specific 15 things would you do? 16 A. Again, that would be coordinating 17 outside vendor support for -- like there was a 18 summer shutdown. They shut down the plant for 19 two months. And there were I think it was like 20 five or six hundred individual tasks that were 21 associated with that shutdown. So coordinating 22 those tasks, recording completion and 23 communicating the status across the plant and 24 organizing staffing to help complete those</p>

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<p style="text-align: right;">Page 69</p> <p>1 tasks.</p> <p>2 Q. Would you mind telling me again</p> <p>3 what they made at Grosfillex?</p> <p>4 A. Sure. If you go to a Hilton and</p> <p>5 they have a and chaise lounge with a matching</p> <p>6 table and chair next to it that is the product</p> <p>7 they are making. And similar products, like</p> <p>8 outdoor seating that if you go to Sea Isle City</p> <p>9 a number of those restaurants there right in the</p> <p>10 center of town have Grosfillex furniture.</p> <p>11 Q. Did you ever have to physically</p> <p>12 inspect the injection molding machines?</p> <p>13 A. Yes.</p> <p>14 Q. Did that ever involve inspection</p> <p>15 of the electrical panels associated with those</p> <p>16 machines?</p> <p>17 A. No.</p> <p>18 Q. What would happen when there was</p> <p>19 an issue with the powering of the machine?</p> <p>20 A. We had a maintenance employee who</p> <p>21 was a trained electrician. So he was the</p> <p>22 primary first responder for that kind of issue.</p> <p>23 Q. Does that maintenance employee</p> <p>24 report to you?</p>	<p style="text-align: right;">Page 71</p> <p>1 that time?</p> <p>2 A. It was deemed a nonessential</p> <p>3 business. And so the entire operation shut down</p> <p>4 and I was laid off at that time.</p> <p>5 Q. Was anyone else laid off at the</p> <p>6 same time you were laid off?</p> <p>7 A. Yes.</p> <p>8 Q. Did the manufacturing facilities</p> <p>9 associated with Grosfillex then close?</p> <p>10 A. Yes.</p> <p>11 Q. Have they reopened at all since</p> <p>12 March 7, 2020?</p> <p>13 A. I believe so. Although I have</p> <p>14 not been there to confirm that.</p> <p>15 Q. Do you have any sense as to when</p> <p>16 they may have reopened?</p> <p>17 A. For that last question I am</p> <p>18 guessing. And you said not to guess. I should</p> <p>19 say I don't know if they reopened honestly.</p> <p>20 Q. Have you ever reached out to them</p> <p>21 since you left to see if you can return to work</p> <p>22 there?</p> <p>23 A. No.</p> <p>24 Q. Did anyone from Grosfillex</p>
<p style="text-align: right;">Page 70</p> <p>1 A. Yes.</p> <p>2 Q. Did you ever have to troubleshoot</p> <p>3 any issues with the injection molding machine?</p> <p>4 A. No.</p> <p>5 Q. Were there ever any issues with</p> <p>6 the injection molding machines while you worked</p> <p>7 at Grosfillex?</p> <p>8 A. Yes.</p> <p>9 Q. Were those issues troubleshot</p> <p>10 with regard to those machines?</p> <p>11 A. Yes.</p> <p>12 Q. Who performed the troubleshooting</p> <p>13 of those machines while you worked there?</p> <p>14 A. The maintenance technicians.</p> <p>15 Q. Who did the maintenance</p> <p>16 technicians report to at Grosfillex?</p> <p>17 A. Myself.</p> <p>18 Q. How long did you work at</p> <p>19 Grosfillex?</p> <p>20 A. Just under one year.</p> <p>21 Q. What date did you stop working at</p> <p>22 Grosfillex?</p> <p>23 A. March 27, 2020.</p> <p>24 Q. Why did you stop working there at</p>	<p style="text-align: right;">Page 72</p> <p>1 contact you after you left to see if you were</p> <p>2 interested in returning to work there?</p> <p>3 A. No.</p> <p>4 Q. When you left Grosfillex what</p> <p>5 were you earning?</p> <p>6 A. \$84,700 a year plus or minus.</p> <p>7 Q. Did you ever earn a bonus while</p> <p>8 you worked for Grosfillex?</p> <p>9 A. No.</p> <p>10 Q. Was there a bonus structure in</p> <p>11 place while you worked for Grosfillex?</p> <p>12 A. Yes.</p> <p>13 Q. Were you eligible to earn any</p> <p>14 bonuses during time you worked for Grosfillex?</p> <p>15 A. No.</p> <p>16 Q. Why were you not eligible to earn</p> <p>17 any bonuses during the time you worked for</p> <p>18 Grosfillex?</p> <p>19 A. The timing around the calendar</p> <p>20 year and my employment start and end dates in</p> <p>21 relation to that.</p> <p>22 Q. Were you ever the subject of any</p> <p>23 disciplinary action at Grosfillex?</p> <p>24 A. No.</p>

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<p style="text-align: right;">Page 73</p> <p>1 Q. Did you ever receive any negative</p> <p>2 performance reviews?</p> <p>3 A. No.</p> <p>4 Q. Were you ever criticized with</p> <p>5 regard to the work that you performed at</p> <p>6 Grosfillex?</p> <p>7 A. I'm not aware of any criticism.</p> <p>8 Q. Are you aware of anything close</p> <p>9 to criticism?</p> <p>10 A. I received feedback about</p> <p>11 priorities. But I wouldn't classify it as</p> <p>12 criticism. It was a conversation between</p> <p>13 manager and supervisor.</p> <p>14 Q. What type of feedback did you</p> <p>15 receive about priorities there?</p> <p>16 A. It was a verbal feedback.</p> <p>17 Q. What was the content of the</p> <p>18 feedback?</p> <p>19 A. From what I remember I was told</p> <p>20 to focus on some written priority task lists.</p> <p>21 Q. Why were you told to focus on</p> <p>22 those written priority task lists?</p> <p>23 A. Because I had been focusing a</p> <p>24 fair amount of time on training, coaching and</p>	<p style="text-align: right;">Page 75</p> <p>1 A. The plant manager.</p> <p>2 Q. Who was the person who provided</p> <p>3 you with the verbal feedback at Grosfillex?</p> <p>4 A. The director of operations which</p> <p>5 is equivalent to plant manager.</p> <p>6 Q. What was that person's name?</p> <p>7 A. Gene Hracho.</p> <p>8 Q. Is that Gene -- is Gene male or</p> <p>9 female?</p> <p>10 A. Male.</p> <p>11 Q. Do you know how to spell Gene's</p> <p>12 name?</p> <p>13 A. G-E-N-E, H-R-A-C-H-O.</p> <p>14 Q. Have you had any communications</p> <p>15 with Gene Hracho since you left Grosfillex?</p> <p>16 A. I recall one communication.</p> <p>17 Q. When did that one communication</p> <p>18 with Mr. Hracho occur?</p> <p>19 A. Shortly after the layoff.</p> <p>20 Q. What did you and Mr. Hracho</p> <p>21 discuss at that time?</p> <p>22 A. I don't remember specifically. I</p> <p>23 recall it being kind of a check-in from him to</p> <p>24 me.</p>
<p style="text-align: right;">Page 74</p> <p>1 development of employees. And I was redirected</p> <p>2 to focus more on some specific tasks.</p> <p>3 Q. At the time that you received the</p> <p>4 verbal feedback were those tasks that they</p> <p>5 believe you should have been completing there</p> <p>6 already?</p> <p>7 A. Yes.</p> <p>8 Q. Did you ever receive any verbal</p> <p>9 feedback regarding the work that you performed</p> <p>10 at Harley-Davidson?</p> <p>11 A. I don't remember.</p> <p>12 Q. Do you ever receive any verbal</p> <p>13 feedback about the work that you performed at</p> <p>14 Fleur De Lait?</p> <p>15 A. Yes.</p> <p>16 Q. What type of verbal feedback did</p> <p>17 you receive at Fleur De Lait?</p> <p>18 A. It was positive.</p> <p>19 Q. Did you ever receive any negative</p> <p>20 verbal feedback regarding your work performance</p> <p>21 at Fleur De Lait?</p> <p>22 A. No.</p> <p>23 Q. Who provided you with the verbal</p> <p>24 feedback at Fleur De Lait?</p>	<p style="text-align: right;">Page 76</p> <p>1 Q. What was he checking in on?</p> <p>2 A. I don't want to guess. But I did</p> <p>3 have a medical procedure done like the day of</p> <p>4 the layoff. And I am estimating that he was</p> <p>5 checking in to see how that went.</p> <p>6 Q. What medical procedure did you</p> <p>7 have done on the day of the layoff?</p> <p>8 A. I can answer that. Isn't it like</p> <p>9 HIPAA protected. I can answer I suppose.</p> <p>10 MR. AUERBACH: Go ahead and</p> <p>11 answer it, please.</p> <p>12 THE WITNESS: It was a</p> <p>13 colonoscopy.</p> <p>14 BY MS. FICARO</p> <p>15 Q. Have you had any other</p> <p>16 communications with Mr. Hracho since you left</p> <p>17 Grosfillex?</p> <p>18 A. I don't believe so.</p> <p>19 Q. Have you spoken to anyone else</p> <p>20 from Grosfillex since you left there?</p> <p>21 A. No.</p> <p>22 Q. From the time you left Grosfillex</p> <p>23 until the time you began working for Willert did</p> <p>24 you hold any other jobs?</p>

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<p>1 A. No.</p> <p>2 Q. Did you apply for any other jobs</p> <p>3 during that time?</p> <p>4 A. Yes.</p> <p>5 Q. How many other jobs did you apply</p> <p>6 for?</p> <p>7 A. I would -- this would be an</p> <p>8 estimate. Around ten. I was on Indeed all the</p> <p>9 time. Ten to twenty. That's an educated guess.</p> <p>10 Q. Did you receive any other job</p> <p>11 offers during that time?</p> <p>12 A. No.</p> <p>13 Q. Did you use a recruiter during</p> <p>14 that time between when you worked for Grosfillex</p> <p>15 and when you worked for Willert to look for</p> <p>16 jobs?</p> <p>17 A. Yes.</p> <p>18 Q. What recruiter did you use at</p> <p>19 that time?</p> <p>20 A. Executive Avail-a-Search was one</p> <p>21 of them.</p> <p>22 Q. How do you spell Availa?</p> <p>23 A. So it was A-V-A-I-L-A Search.</p> <p>24 Q. Where is that company located?</p>	<p>1 Q. Do you expect that there will be</p> <p>2 soon?</p> <p>3 A. Yes.</p> <p>4 Q. Where do you expect that you will</p> <p>5 soon be working out of for Georgia Pacific?</p> <p>6 A. Jonestown, Pennsylvania.</p> <p>7 Q. Johnstown or Jonestown?</p> <p>8 A. Jonestown. Zip 17038.</p> <p>9 Q. When did you expect that you will</p> <p>10 be maintaining an office at that location?</p> <p>11 A. Mid October 2021.</p> <p>12 Q. Why do you expect to be</p> <p>13 maintaining a office at that location then?</p> <p>14 A. That's when the location is</p> <p>15 opening.</p> <p>16 Q. When did you begin working for</p> <p>17 Georgia Pacific?</p> <p>18 A. June 28, 2021.</p> <p>19 Q. How did you come to get the job</p> <p>20 at Georgia Pacific?</p> <p>21 A. It was a recruiter.</p> <p>22 Q. Which recruiter did you use?</p> <p>23 A. I can't remember his name.</p> <p>24 Q. Do you recall the company with</p>
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<p>1 A. Lancaster.</p> <p>2 Q. Was there a specific individual</p> <p>3 for whom you worked with there?</p> <p>4 A. Primarily it was Mark Whiteman or</p> <p>5 Whiteman.</p> <p>6 Q. Are you currently employed?</p> <p>7 A. Yes.</p> <p>8 Q. Where are you currently employed?</p> <p>9 A. Georgia Pacific.</p> <p>10 Q. Is there a specific facility for</p> <p>11 Georgia Pacific out of which you work?</p> <p>12 A. There are multiple facilities.</p> <p>13 So not one specific facility.</p> <p>14 Q. Do you travel from facility to</p> <p>15 facility for Georgia Pacific?</p> <p>16 A. Yes.</p> <p>17 Q. How much time do you typically</p> <p>18 spend in each facility when you travel there?</p> <p>19 A. At this time one to three weeks.</p> <p>20 Q. During the times when you are not</p> <p>21 traveling from facility to facility is there a</p> <p>22 specific Georgia Pacific facility at which you</p> <p>23 maintain an office?</p> <p>24 A. Not yet.</p>	<p>1 which he was affiliated?</p> <p>2 A. Not at this time.</p> <p>3 Q. What is your job title at Georgia</p> <p>4 Pacific?</p> <p>5 A. Reliability supervisor.</p> <p>6 Q. As a reliability supervisor what</p> <p>7 are your job responsibilities?</p> <p>8 A. Developing the preventative</p> <p>9 maintenance program, developing the critical</p> <p>10 spare parts. It will entail and it does entail</p> <p>11 the supervision and coordination of maintenance</p> <p>12 staff and work safety compliance.</p> <p>13 Q. Since you've been working for</p> <p>14 Georgia Pacific have you received any negative</p> <p>15 performance reviews?</p> <p>16 A. No.</p> <p>17 Q. Since you have been working at</p> <p>18 Georgia Pacific have you received any feedback</p> <p>19 regarding the work you performed so far?</p> <p>20 A. Yes.</p> <p>21 Q. What type of feedback have you</p> <p>22 received?</p> <p>23 A. Positive verbal feedback.</p> <p>24 Q. Who provided that positive verbal</p>

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<p style="text-align: right;">Page 81</p> <p>1 feedback to you?</p> <p>2 A. My direct supervisor.</p> <p>3 Q. What is the name of your direct</p> <p>4 supervisor?</p> <p>5 A. Ty Vaughn.</p> <p>6 Q. What specific feedback were you</p> <p>7 provided?</p> <p>8 A. Appreciation for my willingness</p> <p>9 to jump in and take over responsibilities,</p> <p>10 coordinating some breakdowns and ensuring that</p> <p>11 some priority work was accomplished.</p> <p>12 Q. What do you earn at Georgia</p> <p>13 Pacific?</p> <p>14 A. Annual salary is \$98,000 a year.</p> <p>15 Q. Is there a bonus structure there?</p> <p>16 A. There is a bonus structure, yes.</p> <p>17 Q. Are you eligible to earn a bonus</p> <p>18 there?</p> <p>19 A. The bonuses here at Georgia</p> <p>20 Pacific are sort of -- opportunistic rather than</p> <p>21 like the typical annual bonus structure. So if</p> <p>22 I provide a notable performance gain or</p> <p>23 something I can be eligible for that. Yes.</p> <p>24 What was the question again?</p>	<p style="text-align: right;">Page 83</p> <p>1 please provide copies of that offer letter</p> <p>2 and employment agreement to us?</p> <p>3 MR. AUERBACH: Send me a letter.</p> <p>4 But I do believe I sent that to you. It</p> <p>5 would have been an email titled</p> <p>6 "mitigation." And I got it within a day or</p> <p>7 two, meaning I sent it to you within a day</p> <p>8 or two that I received it, as you</p> <p>9 previously requested any mitigation</p> <p>10 efforts. So search your inbox. Send me a</p> <p>11 letter and I will look into anything.</p> <p>12 THE WITNESS: Eileen, just a</p> <p>13 point of clarity: The employment agreement</p> <p>14 like -- at Fleur De Lait there was a</p> <p>15 contract that I signed. Do you mean</p> <p>16 something like that? Or just like terms of</p> <p>17 employment?</p> <p>18 BY MS. FICARO</p> <p>19 Q. So if there any contract you</p> <p>20 signed at Fleur De Lait -- let me -- was there a</p> <p>21 contract that you signed before you began</p> <p>22 working at Fleur De Lait?</p> <p>23 A. I thought we were talking about</p> <p>24 Georgia Pacific?</p>
<p style="text-align: right;">Page 82</p> <p>1 Q. I will just follow up by asking</p> <p>2 are there concrete metrics that you need to meet</p> <p>3 in order to obtain a bonus at Georgia Pacific?</p> <p>4 A. No. Not that I'm aware of.</p> <p>5 Q. Are the bonuses discretionary?</p> <p>6 A. Yes.</p> <p>7 Q. If you were to receive a bonus do</p> <p>8 you have any idea how much that bonus could be?</p> <p>9 A. No. I would be guessing.</p> <p>10 Q. Did the bonus structure set forth</p> <p>11 potential bonus amounts that can be earned?</p> <p>12 A. I have not seen any in writing,</p> <p>13 nor have I been communicated any verbally.</p> <p>14 Q. Did you receive an offer letter</p> <p>15 before you began working at Georgia Pacific?</p> <p>16 A. Yes.</p> <p>17 Q. Do you have a copy of that offer</p> <p>18 letter?</p> <p>19 A. Yes.</p> <p>20 Q. Did you sign an employment</p> <p>21 agreement before you began working at Georgia</p> <p>22 Pacific?</p> <p>23 A. I believe so.</p> <p>24 MS. FICARO: Steve, can you</p>	<p style="text-align: right;">Page 84</p> <p>1 Q. I was. But you mentioned Fleur</p> <p>2 De Lait I think when you commented on that.</p> <p>3 A. Yes. I was using that as a frame</p> <p>4 of reference because I'm familiar with a</p> <p>5 contract in that term. So Fleur De Lait had a</p> <p>6 contract which Georgia Pacific does not. And I</p> <p>7 was trying to clarify if you meant like an</p> <p>8 agreement at that level like a contract level or</p> <p>9 just the employee website where you check boxes.</p> <p>10 Sorry. It's nebulous.</p> <p>11 Q. Do you have any plans to leave</p> <p>12 Georgia Pacific any time soon?</p> <p>13 A. No.</p> <p>14 Q. Has anyone at Georgia Pacific</p> <p>15 asked you to leave since you begun working</p> <p>16 there?</p> <p>17 A. No.</p> <p>18 Q. Did you take a preemployment drug</p> <p>19 screen at Georgia Pacific?</p> <p>20 A. Yes.</p> <p>21 Q. Did you receive any written</p> <p>22 records back regarding those drug screen</p> <p>23 results?</p> <p>24 MR. AUERBACH: What employer?</p>

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<p style="text-align: right;">Page 85</p> <p>1 BY MS. FICARO</p> <p>2 Q. Georgia Pacific.</p> <p>3 A. Just clarification: Do you mean</p> <p>4 like the actual record from the drug test lab?</p> <p>5 Q. Well, first I will ask about the</p> <p>6 record from the drug test lab. Was there a</p> <p>7 record you received from the drug test lab</p> <p>8 regarding the test you took for Georgia Pacific?</p> <p>9 A. No.</p> <p>10 Q. Did you receive any documentation</p> <p>11 from Georgia or anyone else about the drug</p> <p>12 screen results from your test at Georgia</p> <p>13 Pacific?</p> <p>14 A. I don't think so.</p> <p>15 Q. Is it possible that you did?</p> <p>16 A. If I did it was simply a pass in</p> <p>17 an email. I passed the drug test. I got hired.</p> <p>18 Q. Did the drug screen that you took</p> <p>19 for Georgia Pacific, did it screen for THC?</p> <p>20 A. Yes.</p> <p>21 Q. Do you know if those drug screen</p> <p>22 results showed a positive result for THC?</p> <p>23 A. Do I know if they tested</p> <p>24 positive? Do I know if they test -- I don't</p>	<p style="text-align: right;">Page 87</p> <p>1 positive?</p> <p>2 A. Yes.</p> <p>3 Q. Why were you concerned they could</p> <p>4 be positive?</p> <p>5 A. I was uncertain how long it takes</p> <p>6 THC to clear your system once you stop using it.</p> <p>7 Q. Have you stopped using medical</p> <p>8 marijuana?</p> <p>9 A. Yes.</p> <p>10 Q. When did you stop using medical</p> <p>11 marijuana?</p> <p>12 A. I estimate sometime in May</p> <p>13 of 2021.</p> <p>14 Q. Why did you stop using medical</p> <p>15 marijuana?</p> <p>16 A. Why did I stop? I decided to</p> <p>17 stop.</p> <p>18 MS. FICARO: Can we go off the</p> <p>19 record?</p> <p>20 (A recess was taken from 12:13</p> <p>21 p.m. to 12:46 p.m.)</p> <p>22 BY MS. FICARO</p> <p>23 Q. Mr. Reynolds, we are back on the</p> <p>24 record now. And you had just indicated to me</p>
<p style="text-align: right;">Page 86</p> <p>1 know how to answer that. Do I know if they</p> <p>2 tested positive? I know that they did not test</p> <p>3 positive for THC.</p> <p>4 Q. How do you know that?</p> <p>5 A. I took three preemployment drug</p> <p>6 tests on my own which indicated a pass. And I</p> <p>7 also received a offer letter from them. They</p> <p>8 have a very clear drug policy. So if I had</p> <p>9 tested positive for THC there would have been at</p> <p>10 a minimum a conversation about that because they</p> <p>11 do have a clause in regards to medical marijuana</p> <p>12 but that conversation didn't happen because I</p> <p>13 tested negative.</p> <p>14 Q. Why did you take three drug</p> <p>15 screens on your own before you began working at</p> <p>16 Georgia Pacific?</p> <p>17 A. I wanted to be sure.</p> <p>18 Q. Why three?</p> <p>19 A. No specific reason. I mean, they</p> <p>20 were cheap Dollar Tree drug tests. So I didn't</p> <p>21 know how reliable they were. So I tried three.</p> <p>22 Seemed like a good number.</p> <p>23 Q. Before you took those tests was</p> <p>24 there concern on your part that they might be</p>	<p style="text-align: right;">Page 88</p> <p>1 that you took some ibuprofen, that your head</p> <p>2 hurts, and that you are feeling off. Is that</p> <p>3 accurate?</p> <p>4 A. Yes.</p> <p>5 Q. Do you feel as though you can</p> <p>6 proceed with this deposition?</p> <p>7 A. Yes.</p> <p>8 Q. Are you concerned about doing</p> <p>9 that?</p> <p>10 A. No. We can proceed.</p> <p>11 Q. Does the fact that you are</p> <p>12 feeling off and that your head hurts, does that</p> <p>13 affect your ability to understand my questions</p> <p>14 and answer them accurately?</p> <p>15 A. No. I don't believe so.</p> <p>16 MS. FICARO: Steve, do you have</p> <p>17 any objection to us continuing with the</p> <p>18 deposition?</p> <p>19 MR. AUERBACH: No. I don't.</p> <p>20 But, Matt, I need to instruct you that if</p> <p>21 that changes at any moment, specifically if</p> <p>22 you feel that you don't understand what is</p> <p>23 going on, you can't concentrate, you have</p> <p>24 an obligation to let us know. You got</p>

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<p style="text-align: right;">Page 89</p> <p>1 that?</p> <p>2 THE WITNESS: Yes.</p> <p>3 BY MS. FICARO</p> <p>4 Q. We are not trying to torture you</p> <p>5 here, Mr. Reynolds. And for everyone involved</p> <p>6 is interested in the transcript being accurate.</p> <p>7 And we would not want to proceed if you</p> <p>8 indicated there was something going on with you</p> <p>9 physically or mentally that would impact your</p> <p>10 deposition testimony in any way.</p> <p>11 A. Okay. I will let you know.</p> <p>12 Q. If it gets worse or anything</p> <p>13 please let me know. You can ask for a break at</p> <p>14 any time. And you can interject at any time if</p> <p>15 you feel as though you are concerned that you</p> <p>16 cannot continue with the deposition.</p> <p>17 A. Okay.</p> <p>18 Q. If that's the case we will figure</p> <p>19 something else out.</p> <p>20 A. Yes. If I hit the wall I will</p> <p>21 let you know.</p> <p>22 Q. Great.</p> <p>23 When we left off here we were</p> <p>24 discussing about your new job with Georgia</p>	<p style="text-align: right;">Page 91</p> <p>1 weeks prior to the 28th. Around June 14th, the</p> <p>2 10th through the 14th.</p> <p>3 Q. What does the prescreen entail?</p> <p>4 A. Explanation of the job, the</p> <p>5 scenario, circumstances, gauging my interest</p> <p>6 level and just kind of validating that my</p> <p>7 background would be a potentially good fit.</p> <p>8 Q. When did your interviews with</p> <p>9 Georgia Pacific occur?</p> <p>10 A. In between the 14th and the 28th.</p> <p>11 I can't recite exact dates.</p> <p>12 Q. That is the 14th through the 28th</p> <p>13 of June?</p> <p>14 A. Yes. June 14, 2021.</p> <p>15 Q. Mr. Reynolds, you've already</p> <p>16 mentioned today stopping using medical</p> <p>17 marijuana. You indicated you stopped in</p> <p>18 May 2021; is that correct?</p> <p>19 A. Yes.</p> <p>20 Q. When did you begin using medical</p> <p>21 marijuana?</p> <p>22 MR. AUERBACH: One second. If</p> <p>23 you are asking in terms -- first off,</p> <p>24 objection. If you are asking about</p>
<p style="text-align: right;">Page 90</p> <p>1 Pacific. I believe you testified that you came</p> <p>2 to find out about that job via a recruiter; is</p> <p>3 that correct?</p> <p>4 A. Yes.</p> <p>5 Q. Did you have to submit an</p> <p>6 application to work at Georgia Pacific?</p> <p>7 A. Yes.</p> <p>8 Q. When did you submit the</p> <p>9 application to work at Georgia Pacific?</p> <p>10 A. Sometime the week prior to</p> <p>11 June 28, maybe two weeks prior.</p> <p>12 Q. Did you have any interviews with</p> <p>13 anyone at Georgia Pacific?</p> <p>14 A. Yes.</p> <p>15 Q. Who did you interview with there?</p> <p>16 A. It was Monica Stopsinski. I'm</p> <p>17 not sure I can spell that last name properly.</p> <p>18 And Terrence Rice, Cliff Brignola and Ty Vaughn.</p> <p>19 There was also like a prescreen from the</p> <p>20 recruiter. But that was not with Georgia</p> <p>21 Pacific specifically.</p> <p>22 Q. When did you do the prescreen</p> <p>23 with the recruiter?</p> <p>24 A. It moved pretty quick. Maybe two</p>	<p style="text-align: right;">Page 92</p> <p>1 marijuana in general Mr. Reynolds will</p> <p>2 assert a Fifth Amendment right and rights</p> <p>3 under Rule 403 and 608.</p> <p>4 If you are asking about medical</p> <p>5 marijuana he may answer. Otherwise based</p> <p>6 on the assertion of privilege I am</p> <p>7 directing him not to answer.</p> <p>8 MS. FICARO: Would that be with</p> <p>9 regard to any and all questions regarding</p> <p>10 recreational, nonmedical marijuana use?</p> <p>11 MR. AUERBACH: Anything before</p> <p>12 July 2020.</p> <p>13 MS. FICARO: Anything before</p> <p>14 July 2020. So just to be clear here then</p> <p>15 Mr. Reynolds is asserting a Fifth Amendment</p> <p>16 privilege with regard to any questions</p> <p>17 regarding his use of recreational marijuana</p> <p>18 before July 2020; is that correct?</p> <p>19 MR. AUERBACH: Yes.</p> <p>20 BY MS. FICARO</p> <p>21 Q. So to get back to my question:</p> <p>22 When did you begin using medical marijuana?</p> <p>23 A. Sometime after --</p> <p>24 MR. AUERBACH: Did you say</p>

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<p style="text-align: right;">Page 93</p> <p>1 marijuana or medical marijuana?</p> <p>2 MS. FICARO: I said medical</p> <p>3 marijuana.</p> <p>4 BY MS. FICARO</p> <p>5 Q. When did you begin using medical</p> <p>6 marijuana?</p> <p>7 A. After I received the patient card</p> <p>8 from the State of Pennsylvania which I believe</p> <p>9 the date on the card was July 6, 2020. So after</p> <p>10 that time I was able to go to a dispensary and</p> <p>11 obtain medical marijuana.</p> <p>12 Q. Were you ever prescribed medical</p> <p>13 marijuana?</p> <p>14 A. There was a doctor's</p> <p>15 recommendation for a course of medical</p> <p>16 marijuana. I believe that's the proper</p> <p>17 terminology for that.</p> <p>18 Q. What doctor recommended a course</p> <p>19 of medical marijuana?</p> <p>20 A. And her name is -- and I think it</p> <p>21 was with Green Health Docs. I can't remember</p> <p>22 the last name. Something like Tavoli. I'm</p> <p>23 butchering that. It's not a hundred percent</p> <p>24 accurate.</p>	<p style="text-align: right;">Page 95</p> <p>1 Q. How did you find Dr. Andrea?</p> <p>2 A. On the Pennsylvania state medical</p> <p>3 marijuana page list of approved practitioners.</p> <p>4 And I found her name on there.</p> <p>5 Q. How many times have you treated</p> <p>6 with Dr. Andrea?</p> <p>7 A. One time with her. But you meet</p> <p>8 with or consulted with...</p> <p>9 Q. She is a doctor, correct?</p> <p>10 A. Yes.</p> <p>11 Q. Did she ever provide you with any</p> <p>12 medical treatment?</p> <p>13 A. I'm not playing dumb. But I'm</p> <p>14 not a hundred percent clear on the definition of</p> <p>15 medical treatment.</p> <p>16 Q. Why did you go to see Dr. Andrea?</p> <p>17 A. Oh, extreme anxiety.</p> <p>18 Q. So did you go to Dr. Andrea with</p> <p>19 the hope that she would be able to help to treat</p> <p>20 you for your extreme anxiety?</p> <p>21 A. Yes.</p> <p>22 Q. Did she perform any type of</p> <p>23 evaluation of you when you saw her?</p> <p>24 A. Yes.</p>
<p style="text-align: right;">Page 94</p> <p>1 Q. I will refer to her as Andrea</p> <p>2 only because you are unsure of her last, not to</p> <p>3 not show a lack of disrespect.</p> <p>4 A. Sure.</p> <p>5 Q. So I will call her Dr. Andrea. I</p> <p>6 will clarify. Is she a medical doctor?</p> <p>7 A. Yes.</p> <p>8 Q. And with which practice was</p> <p>9 Dr. Andrea affiliated?</p> <p>10 A. I believe it was Green Health</p> <p>11 Doctors was the name of it. I found it through</p> <p>12 the Pennsylvania state list of approved</p> <p>13 practitioners.</p> <p>14 Q. When did you first see</p> <p>15 Dr. Andrea?</p> <p>16 A. I believe it was either May or</p> <p>17 June of 2020. I forget exactly how long the</p> <p>18 approval process took after I saw her until the</p> <p>19 card was issued. But just based on the date on</p> <p>20 the card it was within six weeks or so prior to</p> <p>21 that.</p> <p>22 Q. So that would put it when? June</p> <p>23 did you say 2020?</p> <p>24 A. Yes. Like May or June 2020.</p>	<p style="text-align: right;">Page 96</p> <p>1 Q. What type of evaluation did she</p> <p>2 perform?</p> <p>3 A. I don't know a medical term. But</p> <p>4 there were a series of questions, you know,</p> <p>5 whether that be like a psychiatric evaluation or</p> <p>6 something similar, a series of questions.</p> <p>7 Q. Did she diagnose you with</p> <p>8 anything during that meeting with her?</p> <p>9 A. Anxiety.</p> <p>10 Q. Did she diagnose you with</p> <p>11 anything else?</p> <p>12 A. No. I don't believe so.</p> <p>13 Q. Did you discuss with her</p> <p>14 potential treatment options for your anxiety?</p> <p>15 A. Yes.</p> <p>16 Q. What treatment options did you</p> <p>17 discuss?</p> <p>18 A. I discussed treatments that were</p> <p>19 not working at the time. And I was inquisitive</p> <p>20 about medical marijuana being a potential</p> <p>21 treatment.</p> <p>22 Q. Did you go to Dr. Andrea hoping</p> <p>23 that you would get a prescription for medical</p> <p>24 marijuana?</p>

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<p style="text-align: right;">Page 97</p> <p>1 A. Yes.</p> <p>2 Q. Why were you interested in</p> <p>3 medical marijuana at that time?</p> <p>4 A. So I had just seen a family</p> <p>5 member get involuntarily committed to a</p> <p>6 psychiatric ward because they tried a brand new</p> <p>7 prescription pill, a pharmaceutical. And I had</p> <p>8 tried some pharmaceuticals in the past after</p> <p>9 seeing just how bad the negative side effects of</p> <p>10 psychiatry can be. I really didn't want to try</p> <p>11 something new. I decided maybe a organic,</p> <p>12 plant-based option would be a better thing for</p> <p>13 me. That's really what drove that.</p> <p>14 Q. So for now I am not interested in</p> <p>15 the person's name. But in terms of family</p> <p>16 relationship to you how is that person related</p> <p>17 to you?</p> <p>18 A. Sibling. So I figured the DNA is</p> <p>19 pretty close. I don't want to gamble with my</p> <p>20 future like that. I never want to be in that</p> <p>21 position.</p> <p>22 Q. Other than the sibling have any</p> <p>23 of your other family members experienced mental</p> <p>24 health issues?</p>	<p style="text-align: right;">Page 99</p> <p>1 A. Dr. Maria Fernando.</p> <p>2 Q. Where is Dr. Maria Fernando</p> <p>3 located?</p> <p>4 A. Lancaster, Pennsylvania.</p> <p>5 Q. Is she affiliated with a</p> <p>6 particular entity or practice?</p> <p>7 A. I'm not sure. I believe she is</p> <p>8 an independent practice but not certain.</p> <p>9 Q. What is her address?</p> <p>10 A. I think it's 230 Shippen Street</p> <p>11 or maybe West Shippen Street in Lancaster.</p> <p>12 That's an estimate but pretty close.</p> <p>13 Q. Are you still treating with</p> <p>14 Dr. Fernando now?</p> <p>15 A. No.</p> <p>16 Q. When did you stop treating with</p> <p>17 Dr. Fernando?</p> <p>18 A. Sometime in 2020. Sometime after</p> <p>19 I got laid off. Just money got tight.</p> <p>20 Q. Was there any reason you stopped</p> <p>21 treating with her other than money getting</p> <p>22 tight?</p> <p>23 A. Treatment didn't seem to be</p> <p>24 effective for the anxiety I was experiencing.</p>
<p style="text-align: right;">Page 98</p> <p>1 A. I don't know. I don't know</p> <p>2 diagnoses. I believe my dad has seen a doctor</p> <p>3 for mental health something. I don't know</p> <p>4 details.</p> <p>5 Q. Are you aware whether your dad</p> <p>6 has any mental health diagnoses?</p> <p>7 A. I'm not aware.</p> <p>8 Q. Was it upsetting to you that your</p> <p>9 sibling was involuntarily committed?</p> <p>10 A. Yes. Deeply.</p> <p>11 Q. At the time that you went to see</p> <p>12 Dr. Andrea were you currently at that time</p> <p>13 treating with any other mental health care</p> <p>14 professionals?</p> <p>15 A. Sorry. Can you still hear me?</p> <p>16 Q. Can you hear us?</p> <p>17 A. Yes. Another call came in for a</p> <p>18 second. So at the time I saw Dr. Andrea had</p> <p>19 I...</p> <p>20 Q. Were you treating with another</p> <p>21 doctor at that time?</p> <p>22 A. Yes.</p> <p>23 Q. Who were you treating with when</p> <p>24 you went to see Dr. Andrea?</p>	<p style="text-align: right;">Page 100</p> <p>1 So I made the decision to stop with them.</p> <p>2 Q. Which treatment are you referring</p> <p>3 to?</p> <p>4 A. She had me on some pharmaceutical</p> <p>5 prescriptions.</p> <p>6 Q. With what prescription did she</p> <p>7 have you on?</p> <p>8 A. Lamictal and Abilify.</p> <p>9 Q. From what periods of time to what</p> <p>10 period of time did you take Lamictal and</p> <p>11 Abilify?</p> <p>12 A. I believe I started in 2015</p> <p>13 through that period in 2020 there.</p> <p>14 Q. You mentioned that you were</p> <p>15 treating with Dr. Fernando when you went to see</p> <p>16 Dr. Andrea. Did Dr. Fernando refer you to</p> <p>17 Dr. Andrea?</p> <p>18 A. No.</p> <p>19 Q. Did you ever discuss potential</p> <p>20 medical marijuana usage with Dr. Fernando?</p> <p>21 A. I don't believe so.</p> <p>22 Q. Did you ever discuss or notify</p> <p>23 Dr. Fernando that you were using medical</p> <p>24 marijuana after you began using medical</p>

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<p style="text-align: right;">Page 101</p> <p>1 marijuana?</p> <p>2 A. I don't recall.</p> <p>3 Q. Between June 2020 and when you</p> <p>4 stopped seeing Dr. Fernando how many times did</p> <p>5 you see Dr. Fernando?</p> <p>6 A. I'm not certain. I don't</p> <p>7 remember.</p> <p>8 Q. Are you able to estimate or</p> <p>9 approximate in terms of it being for example</p> <p>10 more than five times or less than five times?</p> <p>11 A. It was less than five. I was</p> <p>12 thinking maybe one or two.</p> <p>13 Q. Have you seen Dr. Andrea at any</p> <p>14 time other than when you saw her on the occasion</p> <p>15 in June 2020?</p> <p>16 A. No.</p> <p>17 Q. When you spoke to Dr. Andrea did</p> <p>18 she discuss any pharmaceutical options for the</p> <p>19 treatment of your anxiety at that time?</p> <p>20 A. No.</p> <p>21 Q. Was medical marijuana the only</p> <p>22 thing she recommended for you?</p> <p>23 A. Yes.</p> <p>24 Q. Did she provide a prescription</p>	<p style="text-align: right;">Page 103</p> <p>1 A. As needed.</p> <p>2 Q. Did she explain to you which</p> <p>3 circumstances might be constitute needing to use</p> <p>4 medical marijuana?</p> <p>5 A. I don't believe so.</p> <p>6 Q. Do you recall anything else about</p> <p>7 your discussion with Dr. Andrea during your one</p> <p>8 visit with her in June 2020?</p> <p>9 A. Yes.</p> <p>10 Q. What else do you recall?</p> <p>11 A. I asked how this worked in</p> <p>12 regards to drug tests for employment. Because I</p> <p>13 was looking at this as triage. I was anxious.</p> <p>14 I had never been laid off before. So she told</p> <p>15 me at that time there was privacy protection in</p> <p>16 the law. So I thought then I was good to go as</p> <p>17 far as applying for jobs and stuff.</p> <p>18 Q. Did she explain what she meant</p> <p>19 when she said there was privacy and protection</p> <p>20 under the law?</p> <p>21 A. No. That's what she said.</p> <p>22 Q. Did she offer you any instruction</p> <p>23 about anything that you should do with regard to</p> <p>24 preemployment drug screens if you were taking</p>
<p style="text-align: right;">Page 102</p> <p>1 for you?</p> <p>2 A. I don't -- I don't think that is</p> <p>3 how the system works.</p> <p>4 MR. AUERBACH: Off the record.</p> <p>5 (Discussion held off the record.)</p> <p>6 THE WITNESS: So to answer the</p> <p>7 question there is no prescription due to</p> <p>8 the way the system is currently structured.</p> <p>9 BY MS. FICARO</p> <p>10 Q. Dr. Andrea explained to you how</p> <p>11 she was recommending that you use the medical</p> <p>12 marijuana?</p> <p>13 A. I believe so. Yes.</p> <p>14 Q. What did she tell you in terms of</p> <p>15 her recommendations with regard to your use of</p> <p>16 medical marijuana?</p> <p>17 A. The most medicinal benefit comes</p> <p>18 from oral administration, like tinctures, as</p> <p>19 well as a what they call an entourage effect</p> <p>20 when you combine ratios of CBD with THC, like</p> <p>21 particularly a 10 to 1, 10 parts CBD to one part</p> <p>22 THC.</p> <p>23 Q. Did she tell you how often she</p> <p>24 recommended you use medical marijuana?</p>	<p style="text-align: right;">Page 104</p> <p>1 medical marijuana?</p> <p>2 A. No. Not that I recall.</p> <p>3 Q. Did she tell you that you should</p> <p>4 tell the drug screeners or potential employers</p> <p>5 that you were using medical marijuana?</p> <p>6 A. No. Not that I recall.</p> <p>7 Q. Have you seen Dr. Andrea at any</p> <p>8 time at all since June 2020?</p> <p>9 A. No.</p> <p>10 Q. Did Dr. Andrea administer any</p> <p>11 tests to you on the occasion that you saw her?</p> <p>12 A. Just oral interviews. But no</p> <p>13 blood tests or you know...</p> <p>14 Q. Did she administer any other</p> <p>15 diagnostic tests to you on the occasion that you</p> <p>16 saw her?</p> <p>17 A. No.</p> <p>18 Q. You mentioned that you learned</p> <p>19 about her because you read about her on what?</p> <p>20 A. I found her name through the</p> <p>21 Pennsylvania State Department of Health Medical</p> <p>22 Marijuana office through the list of approved</p> <p>23 practitioners.</p> <p>24 Q. Has any other mental health care</p>

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<p style="text-align: right;">Page 105</p> <p>1 provider ever recommended that you consider</p> <p>2 using medical marijuana?</p> <p>3 A. When I got recertified, it was</p> <p>4 the annual recertification, so there was a</p> <p>5 follow-up visit with a different doctor who saw</p> <p>6 fit to extend the patient certification.</p> <p>7 Q. Which doctor was that?</p> <p>8 A. His name was John. I'm horrible</p> <p>9 with names. I apologize. I will have to say</p> <p>10 Dr. John with the same practice, Green Health.</p> <p>11 Q. When did you see Dr. John from</p> <p>12 Green Health?</p> <p>13 A. I guess that would have been</p> <p>14 July 2020. In the time to recertify. 2021.</p> <p>15 Sorry. This year.</p> <p>16 Q. Have you ever seen Dr. John on</p> <p>17 any occasions other than what you saw him in</p> <p>18 July 2021?</p> <p>19 A. No.</p> <p>20 Q. Did Dr. John perform any</p> <p>21 evaluation of you when you saw him in July 2021?</p> <p>22 A. An oral series of questions which</p> <p>23 I would generically refer to as like a</p> <p>24 psychiatric evaluation.</p>	<p style="text-align: right;">Page 107</p> <p>1 Q. Before that date had you ever</p> <p>2 treated with anyone at LG Health?</p> <p>3 A. No. I don't believe so.</p> <p>4 Q. Did anyone refer you to LG Health</p> <p>5 or recommend that you go to LG Health?</p> <p>6 A. My wife, if that counts. If you</p> <p>7 are looking for a professional then no.</p> <p>8 Q. When did you first contact your</p> <p>9 attorney Mr. Auerbach?</p> <p>10 A. I believe it was maybe February</p> <p>11 or March of 2021.</p> <p>12 Q. How did you come to find</p> <p>13 Mr. Auerbach?</p> <p>14 A. I was referred to him.</p> <p>15 Q. Who referred you to him?</p> <p>16 A. Another attorney whose name --</p> <p>17 Q. I was going to ask the name.</p> <p>18 A. I don't recall.</p> <p>19 Q. Is there a reason why in</p> <p>20 November 2020 you went to LG Health as opposed</p> <p>21 to going to Dr. Fernando after you were</p> <p>22 terminated from Willert?</p> <p>23 A. Yes.</p> <p>24 Q. What is the reason for that?</p>
<p style="text-align: right;">Page 106</p> <p>1 Q. Did he give you a diagnosis?</p> <p>2 A. Anxiety. I should say yes.</p> <p>3 Q. Are you currently taking any</p> <p>4 pharmaceutical for purpose of your anxiety?</p> <p>5 A. Yes.</p> <p>6 Q. What do you currently take for</p> <p>7 your anxiety?</p> <p>8 A. Lamictal.</p> <p>9 Q. Who prescribed the Lamictal to</p> <p>10 you?</p> <p>11 A. That is one of the doctors at LG</p> <p>12 Health. One moment. I will get it here. Dr.</p> <p>13 Zimmerman is one of the doctors I see. There is</p> <p>14 a number of doctors at the practice I go to at</p> <p>15 Lincoln LG Health. It is part of Lancaster</p> <p>16 General Health Network. And Dr. Zimmerman is</p> <p>17 one of those I have seen recently.</p> <p>18 Q. When did you first treat with</p> <p>19 anyone at Lancaster General Health?</p> <p>20 A. I think it was November 2020.</p> <p>21 Q. When in November 2020?</p> <p>22 A. Few days after I was terminated</p> <p>23 from Willert in the single digits there, 7th,</p> <p>24 8th, 9th, like that.</p>	<p style="text-align: right;">Page 108</p> <p>1 A. The initial symptoms I had were</p> <p>2 unlike anything I had ever experienced before in</p> <p>3 my life. So I didn't initially think it was any</p> <p>4 kind of mental health thing. I thought it was</p> <p>5 having some kind of systemic -- something else.</p> <p>6 I didn't know what to call it. But it didn't</p> <p>7 feel like a mental health thing. It felt like</p> <p>8 something was seriously wrong.</p> <p>9 Q. What type of symptoms were you</p> <p>10 experiencing?</p> <p>11 A. It was centered mostly in my</p> <p>12 core. And it felt like everything was shutting</p> <p>13 down. It felt like I was dying inside. I don't</p> <p>14 mean that dramatically or emotionality. It felt</p> <p>15 like my core systems were shutting down. It was</p> <p>16 alarming. It was stark. It was notable.</p> <p>17 I just would fall asleep in the</p> <p>18 middle of the day or just get sucked into bed.</p> <p>19 It was very heavy. It was -- I am sorry. Yeah.</p> <p>20 It was like a tangible, physical manifestation,</p> <p>21 which I had not really experienced before with</p> <p>22 what I wouldn't call anxiety or anything like</p> <p>23 that. So I went to LG Health to start with a</p> <p>24 general practitioner to see where they would</p>

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<p style="text-align: right;">Page 109</p> <p>1 send me from there.</p> <p>2 Q. Are you okay to continue? Do you</p> <p>3 want to take a break?</p> <p>4 A. No. I'm good. It's just in the</p> <p>5 moment sometimes it is going be a lot to think</p> <p>6 about. But I'm okay.</p> <p>7 Q. When you went to LG Health then,</p> <p>8 who did you first see there?</p> <p>9 A. That was Dr. Zimmerman. I think</p> <p>10 her first name is Taryn. But anyway it's</p> <p>11 Dr. Zimmerman.</p> <p>12 Q. Let's take a step back for a</p> <p>13 minute here. When were you first diagnosed with</p> <p>14 anxiety?</p> <p>15 A. First diagnosed was way back in</p> <p>16 when I worked at Harley-Davidson in 2008 maybe.</p> <p>17 Give or take.</p> <p>18 Q. At that time did anything happen</p> <p>19 to bring on the anxiety?</p> <p>20 A. I believe it was just the stress</p> <p>21 of the job. That was a very demanding</p> <p>22 situation.</p> <p>23 Q. In 2008 who first diagnosed you</p> <p>24 with anxiety?</p>	<p style="text-align: right;">Page 111</p> <p>1 Dr. Czulada?</p> <p>2 A. The latest 2009.</p> <p>3 Q. From 2008 to 2009 were you using</p> <p>4 the general antidepressant that Dr. Czulada</p> <p>5 prescribed?</p> <p>6 A. If I recall I don't know if I</p> <p>7 refilled it. It was only a matter of months</p> <p>8 that I took that prescription.</p> <p>9 Q. After you last saw Dr. Czulada,</p> <p>10 did you feel like your anxiety had subsided or</p> <p>11 gone away?</p> <p>12 A. It was manageable. So I guess</p> <p>13 subsided, not gone away, but subsided. Sure.</p> <p>14 Q. Did there come a point in time</p> <p>15 after you saw Dr. Czulada you began treating</p> <p>16 with another mental health care provider?</p> <p>17 A. Definitely Dr. Fernando.</p> <p>18 Q. When did you first treat with</p> <p>19 Dr. Fernando?</p> <p>20 A. I believe that was 2015.</p> <p>21 Q. Between 2009 and 2015 did you</p> <p>22 receive any mental health treatment?</p> <p>23 A. Not that I recall.</p> <p>24 Q. In 2015 why did you go see</p>
<p style="text-align: right;">Page 110</p> <p>1 A. I believe that Dr. Czulada. He</p> <p>2 practices in Dover, Pennsylvania. I forget the</p> <p>3 name of the practice.</p> <p>4 Q. How many times did you treat with</p> <p>5 Dr. Czulada?</p> <p>6 A. Two or three. Not real long.</p> <p>7 Q. Did Dr. Czulada prescribe any</p> <p>8 medication for you?</p> <p>9 A. Yes.</p> <p>10 Q. What medication did -- male or</p> <p>11 female?</p> <p>12 A. A male.</p> <p>13 Q. What type of medication did he</p> <p>14 prescribe for you?</p> <p>15 A. It was a general antidepressant.</p> <p>16 Either Prozac or Wellbutrin. One of those.</p> <p>17 Q. Did Dr. Czulada diagnose you with</p> <p>18 anything else other than anxiety at that time?</p> <p>19 A. Not that I recall.</p> <p>20 Q. Did you continue to take the</p> <p>21 general antidepressant after the two or three</p> <p>22 times that you saw Dr. Czulada?</p> <p>23 A. No.</p> <p>24 Q. When did you last see</p>	<p style="text-align: right;">Page 112</p> <p>1 Dr. Fernando?</p> <p>2 A. General anxiety.</p> <p>3 Q. Was there anything happening in</p> <p>4 your life at that time to cause the general</p> <p>5 anxiety?</p> <p>6 A. Again, it was mostly work related</p> <p>7 stress. Maintenance is typically kind of</p> <p>8 demanding, lots of emergencies, professional</p> <p>9 fire fighting in a sense.</p> <p>10 Q. Was there anything else that you</p> <p>11 believe caused you to experience general anxiety</p> <p>12 in 2015?</p> <p>13 A. No.</p> <p>14 Q. In 2015 when you saw Dr. Fernando</p> <p>15 did she diagnose you with anything?</p> <p>16 A. Yes.</p> <p>17 Q. What did she diagnose you with?</p> <p>18 A. Anxiety. And it was like</p> <p>19 atypical depression or -- it's not like a</p> <p>20 depression where you are depressed all the time.</p> <p>21 It kind of comes and goes. It is like seasonal</p> <p>22 effective disorder or let's just say depression</p> <p>23 I guess.</p> <p>24 Q. What type of treatment did she</p>

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<p style="text-align: right;">Page 113</p> <p>1 provide you for your general anxiety and 2 depression? 3 A. Psychiatric medication, 4 prescriptions, pharmaceuticals. 5 Q. What did she prescribe for you? 6 A. That was Lamictal and Abilify. 7 She added Wellbutrin as needed. Kind of 8 seasonally. 9 Q. How long did you take the 10 Lamictal and Abilify? 11 A. Five years. 12 Q. So would that be from 13 approximately 2015 through 2020? 14 A. Correct. 15 Q. Why did you stop taking Lamictal 16 and Abilify? 17 A. They didn't seem to be doing 18 anything that I can tell. 19 Q. For how long a period of time did 20 you feel like they didn't seem to be doing 21 anything? 22 A. To be honest I was never really 23 satisfied overall with what they did. But I was 24 at least functional and going to work. So I</p>	<p style="text-align: right;">Page 115</p> <p>1 the best thing that can happen is weight gain, 2 you get fat, it goes downhill from there. 3 And so I just was not really -- 4 to me -- it was not worth the risk of, well, 5 experiment with some stuff with the potential, 6 you know, cost of who knows what. So I just 7 dealt with it. And like I said, I was 8 functional and I was doing things. It kept 9 going. 10 Q. Did Dr. Fernando ever discuss 11 medical marijuana with you? 12 A. No. 13 Q. Did you ever ask Dr. Fernando 14 about medical marijuana? 15 A. No. I don't think so. 16 Q. Between 2015 and June 2020 did 17 you treat with any mental health professionals 18 other than Dr. Fernando? 19 A. Does that include the therapist, 20 like just conversation? 21 Q. So were you seeing a therapist 22 between 2015 and 2020? 23 A. For some period of time in there, 24 yes. But no other physician or doctor.</p>
<p style="text-align: right;">Page 114</p> <p>1 just kept up with the course she prescribed. 2 Q. Did you ever explain to her that 3 you felt that you were not satisfied with what 4 they did at any time? 5 A. Yes. I can't give you dates. 6 But periodically we would discuss it. 7 Q. Did you ever try a different drug 8 other than Lamictal and Abilify during that 9 five-year period of time? 10 A. I don't think so. 11 Q. Did you ever discuss with 12 Dr. Fernando using a different pharmaceutical? 13 A. No. 14 Q. Is there a reason why you never 15 asked her about that despite feeling like you 16 were not satisfied with the Lamictal and the 17 Abilify? 18 A. In general I personally really 19 don't like prescription pharmaceutical 20 psychiatric drugs to begin with. And I really 21 honestly just didn't want to experiment with 22 myself based on the research I had done on 23 different options when you read about the 24 potential side effects and stuff. It just --</p>	<p style="text-align: right;">Page 116</p> <p>1 Q. Is Dr. Fernando a psychiatrist? 2 A. Yes. 3 Q. Between 2015 and 2020 what 4 therapists were you seeing? 5 A. It was only a short period of 6 time but Dr. Heidi Ramsbottom. 7 Q. Is Dr. Ramsbottom affiliated with 8 a particular practice or entity? 9 A. Not that I'm ware of. Her 10 practice has a name. But I believe it is hers. 11 I don't think she is part of a network or 12 doctors, if that is what you mean. 13 Q. How do you spell Ramsbottom? 14 A. R-A-M-S-B-O-T-T-O-M, I believe. 15 Q. Where is Dr. Ramsbottom located? 16 A. Reading, PA. 17 Q. How many times -- when did you 18 first see Dr. Ramsbottom? 19 A. I believe it was 2015. 20 Q. When did you last see 21 Dr. Ramsbottom? 22 A. 2015 or 2016. 23 Q. How many times did you see 24 Dr. Ramsbottom between 2015 and the last time</p>

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<p style="text-align: right;">Page 117</p> <p>1 you saw her?</p> <p>2 A. Approximately five.</p> <p>3 Q. You mentioned that she is -- you</p> <p>4 refer to as a doctor. What type of doctor is</p> <p>5 she?</p> <p>6 A. I honestly don't know.</p> <p>7 Q. Is she an MD?</p> <p>8 A. I don't think so. But I'm not</p> <p>9 certain.</p> <p>10 Q. How come you stopped seeing</p> <p>11 Dr. Ramsbottom?</p> <p>12 A. \$150 an hour. Money was tight.</p> <p>13 Q. Any other reason you stopped</p> <p>14 seeing Dr. Ramsbottom?</p> <p>15 A. No.</p> <p>16 Q. Between 2015 and 2020 have you</p> <p>17 seen any other therapists -- actually let me</p> <p>18 restate that question.</p> <p>19 Between 2015 and June 2020 have</p> <p>20 you seen any other therapists other than</p> <p>21 Dr. Ramsbottom?</p> <p>22 A. June '20. No. I don't think so.</p> <p>23 Q. Is there a reason why you have</p> <p>24 not seen any other therapists during that time?</p>	<p style="text-align: right;">Page 119</p> <p>1 It's Dr. Musyt.</p> <p>2 Q. Are you still treating with</p> <p>3 Dr. Musyt at LG Health?</p> <p>4 A. Yes.</p> <p>5 Q. Between November 2020 and today</p> <p>6 how many times have you seen Dr. Musyt?</p> <p>7 A. Approximately -- it was not</p> <p>8 Dr. Musyt every time. But with LG Health there</p> <p>9 was approximately five or six visits. Or it's</p> <p>10 COVID year so it's been virtual appointments</p> <p>11 sometimes as well. Yes. I will say about five</p> <p>12 or six.</p> <p>13 Q. Do you have an appointment</p> <p>14 scheduled to see Dr. Musyt any time in the near</p> <p>15 future?</p> <p>16 A. No. Not yet.</p> <p>17 Q. Is there a set schedule with</p> <p>18 regard to your appointments with Dr. Musyt or do</p> <p>19 you make those appointments on a as-needed</p> <p>20 basis?</p> <p>21 A. Currently as needed.</p> <p>22 Q. Are you currently taking any</p> <p>23 pharmaceutical for purpose of your mental</p> <p>24 health?</p>
<p style="text-align: right;">Page 118</p> <p>1 A. I was generally doing pretty</p> <p>2 good. So I didn't feel the need to actively</p> <p>3 reach out for help. And the expense -- just</p> <p>4 expensive.</p> <p>5 Q. Other than Dr. Ramsbottom and</p> <p>6 Dr. Fernando, did you treat with any other</p> <p>7 mental health care providers between 2015 and</p> <p>8 June 2020?</p> <p>9 A. No.</p> <p>10 Q. Have you at any time ever</p> <p>11 undergone any inpatient mental health care</p> <p>12 treatment anywhere?</p> <p>13 A. No.</p> <p>14 Q. At any time have you been</p> <p>15 hospitalized for any mental health care reasons?</p> <p>16 A. No.</p> <p>17 Q. In terms of then your treatment</p> <p>18 with LG Health you mentioned you saw</p> <p>19 Dr. Zimmerman. Are you still treating with LG</p> <p>20 Health?</p> <p>21 A. Yes.</p> <p>22 Q. Are you treating with</p> <p>23 Dr. Zimmerman at LG Health?</p> <p>24 A. No. It's -- I remember his name.</p>	<p style="text-align: right;">Page 120</p> <p>1 A. I think we covered that. But,</p> <p>2 yes.</p> <p>3 Q. What are you currently taking?</p> <p>4 A. Lamictal.</p> <p>5 Q. Did you take any Lamictal today?</p> <p>6 A. No.</p> <p>7 Q. How often do you take the</p> <p>8 Lamictal?</p> <p>9 A. One a day.</p> <p>10 Q. When is the last time you took</p> <p>11 Lamictal?</p> <p>12 A. Last night.</p> <p>13 Q. Who prescribed that Lamictal to</p> <p>14 you?</p> <p>15 A. It was LG Health. And I believe</p> <p>16 it was Dr. Musyt. Dr. Musyt at LG Health.</p> <p>17 Q. Does your wife work outside of</p> <p>18 the home?</p> <p>19 A. Not full-time, no.</p> <p>20 Q. Has your wife worked outside of</p> <p>21 the home at any time between 2019 and the</p> <p>22 present?</p> <p>23 A. No.</p> <p>24 Q. Does she work outside of the home</p>

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<p style="text-align: right;">Page 121</p> <p>1 part-time?</p> <p>2 A. Yes.</p> <p>3 Q. What does she do?</p> <p>4 A. She is a state-licensed massage</p> <p>5 therapist.</p> <p>6 Q. Where does you she work?</p> <p>7 A. That's the thing. She doesn't</p> <p>8 work at a place. She just practices. So it's</p> <p>9 just one here, one there. Kind of pocket money</p> <p>10 for her. With COVID massage therapy went away.</p> <p>11 So really in 2020 that was effectively zero.</p> <p>12 And that just stopped.</p> <p>13 Q. Did you file tax returns in 2020?</p> <p>14 A. Yes. I filed an extension.</p> <p>15 That's a long story.</p> <p>16 Q. Have you to date filed a tax</p> <p>17 return for 2020?</p> <p>18 A. No.</p> <p>19 Q. Do you and your wife file tax</p> <p>20 returns jointly?</p> <p>21 A. Yes.</p> <p>22 Q. After Dr. Andrea recommended</p> <p>23 medical marijuana for you, what did you do?</p> <p>24 A. I did a lot of research about</p>	<p style="text-align: right;">Page 123</p> <p>1 And then once you have an account and a website</p> <p>2 then you see a authorized physician who may or</p> <p>3 may not make a determination and a</p> <p>4 recommendation. And they go to the system to</p> <p>5 certify and answer some questions. And once</p> <p>6 that is done I think that's the whole process.</p> <p>7 And then you are approved and you get a card in</p> <p>8 the mail.</p> <p>9 Q. Did you have anything in writing</p> <p>10 from Dr. Andrea?</p> <p>11 A. I don't think so.</p> <p>12 Q. When you talked about going</p> <p>13 online were you referring to the medical</p> <p>14 marijuana registry?</p> <p>15 A. Going online and regards to what?</p> <p>16 Q. The initial step before speaking</p> <p>17 to a physician?</p> <p>18 A. Yes. Yes. The Pennsylvania</p> <p>19 Department of Health Office of Medical</p> <p>20 Marijuana.</p> <p>21 Q. Did you create a profile in this</p> <p>22 medical marijuana registry?</p> <p>23 A. Yes. I have to sign up for a</p> <p>24 patient profile.</p>
<p style="text-align: right;">Page 122</p> <p>1 different kinds of strains because there is</p> <p>2 thousands of different strains of medical</p> <p>3 marijuana. And I shopped around at the</p> <p>4 different dispensaries to see what they had.</p> <p>5 And then I went to a dispensary and selected --</p> <p>6 actually they have a person there who explains</p> <p>7 the process and explains some of the products to</p> <p>8 you. And they are not prescribing but they can</p> <p>9 advise you towards different things. I talked</p> <p>10 to them. And then I selected products there at</p> <p>11 one of the dispensaries.</p> <p>12 Q. Before speaking to the</p> <p>13 dispensary, did you obtain a medical marijuana</p> <p>14 license in Pennsylvania?</p> <p>15 A. Oh, yes. I got a patient card or</p> <p>16 patient certification.</p> <p>17 Q. What did you do to get that</p> <p>18 patient certification?</p> <p>19 A. I followed the process. There</p> <p>20 was a process on the Department of Health</p> <p>21 website.</p> <p>22 Q. What did that process entail?</p> <p>23 A. So I believe the first part is</p> <p>24 you apply on the state website. You pay a fee.</p>	<p style="text-align: right;">Page 124</p> <p>1 Q. When did you create your profile</p> <p>2 in the medical marijuana registry?</p> <p>3 A. I believe it was May 2020.</p> <p>4 Q. What led you to create a profile</p> <p>5 in the medical marijuana registry at that time?</p> <p>6 A. Overwhelming anxiety of the</p> <p>7 situation with my being laid off from COVID and</p> <p>8 the pharmaceuticals just were not working at</p> <p>9 all. So it was a last-ditch effort.</p> <p>10 Q. At that time was it the Lamictal</p> <p>11 and the Abilify that you were taking when you</p> <p>12 refer to pharmaceuticals?</p> <p>13 A. Yes.</p> <p>14 Q. Dr. Andrea then was the physician</p> <p>15 whom you contacted after that; is that correct?</p> <p>16 A. Yes.</p> <p>17 Q. After you met with Dr. Andrea and</p> <p>18 she provided you with this recommendation, did</p> <p>19 you have to do anything to complete your</p> <p>20 application for the medical marijuana ID card?</p> <p>21 A. I can't remember. If I did it</p> <p>22 was very easy. I can't remember.</p> <p>23 Q. You mentioned that you went</p> <p>24 through the recertification process, correct,</p>

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<p style="text-align: right;">Page 125</p> <p>1 for a medical marijuana license?</p> <p>2 A. Correct.</p> <p>3 Q. You also mentioned that you</p> <p>4 stopped using medical marijuana in May 2021,</p> <p>5 correct?</p> <p>6 A. Yes.</p> <p>7 Q. Why did you go through the</p> <p>8 recertification process if you stopped using</p> <p>9 medical marijuana?</p> <p>10 A. Well, honestly I just -- I was</p> <p>11 not sure I wanted to make sure I was still part</p> <p>12 of the program and, you know, covered as a</p> <p>13 patient. Because I have not really come to</p> <p>14 closure with the ramifications and the outfall</p> <p>15 of being a patient. And so just covering all my</p> <p>16 bases.</p> <p>17 Q. In May 2020 when you stopped</p> <p>18 using medical marijuana, were you experiencing</p> <p>19 any symptoms or side effects of the use of it</p> <p>20 that you did not enjoy?</p> <p>21 A. You meant May 2021?</p> <p>22 Q. May 2021. Let me re-ask.</p> <p>23 When you stopped using medical</p> <p>24 marijuana in May 2021, were you experiencing any</p>	<p style="text-align: right;">Page 127</p> <p>1 Mr. Reynolds, I will represent to</p> <p>2 you this is a document that we received from</p> <p>3 your attorney in this matter. There is written</p> <p>4 words at the top of it that reads, No. 15, The</p> <p>5 MMM card presented at the preemployment drug</p> <p>6 screen.</p> <p>7 And then there is a picture of</p> <p>8 what appears to be a medical marijuana</p> <p>9 identification card. Do you recognize this</p> <p>10 document?</p> <p>11 A. Yes.</p> <p>12 Q. Do you recognize the card?</p> <p>13 A. Yes.</p> <p>14 Q. Is that your medical marijuana</p> <p>15 identification card that you had for the period</p> <p>16 of time from July 6, 2020 through July 6 2021?</p> <p>17 A. Yes.</p> <p>18 Q. Did you carry that card with you</p> <p>19 at all times after you received it?</p> <p>20 A. Oh, yes. Right next to my</p> <p>21 driver's license.</p> <p>22 Q. Did you carry that card with you</p> <p>23 even when you may not have had medical marijuana</p> <p>24 on your person?</p>
<p style="text-align: right;">Page 126</p> <p>1 symptoms or side effects that led you to stop</p> <p>2 using medical marijuana?</p> <p>3 A. No.</p> <p>4 Q. Is the reason you stopped because</p> <p>5 of the comment you just made about the</p> <p>6 ramifications of you using medical marijuana</p> <p>7 still being unclear?</p> <p>8 A. Primarily.</p> <p>9 Q. Have you received a new medical</p> <p>10 marijuana license card for the State of</p> <p>11 Pennsylvania?</p> <p>12 A. Yes.</p> <p>13 Q. When did you receive that new</p> <p>14 card?</p> <p>15 A. Fairly recently. I can't</p> <p>16 remember exactly. I went through the process.</p> <p>17 I think it was last month or so.</p> <p>18 (Exhibit 1 was marked for</p> <p>19 identification.)</p> <p>20 BY MS. FICARO</p> <p>21 Q. I am going to share my screen</p> <p>22 with you for a moment. I am showing you a copy</p> <p>23 of a document that I would ask be marked</p> <p>24 Reynolds 1.</p>	<p style="text-align: right;">Page 128</p> <p>1 A. Yes.</p> <p>2 Q. On the date of your termination</p> <p>3 did you have your medical marijuana</p> <p>4 identification card with you?</p> <p>5 A. Yes.</p> <p>6 Q. On the date of your termination</p> <p>7 from Willert, did you show your medical</p> <p>8 marijuana identification card to anyone?</p> <p>9 A. No.</p> <p>10 Q. On the date of your termination</p> <p>11 from Willert, did you offer to show your medical</p> <p>12 marijuana identification card to anyone?</p> <p>13 A. It was over the phone. So I</p> <p>14 couldn't physically show them. But I told them</p> <p>15 over the phone that I had the patient card.</p> <p>16 Q. In order to complete your profile</p> <p>17 on the medical marijuana registry, did you</p> <p>18 complete that profile entirely online?</p> <p>19 A. Yes.</p> <p>20 Q. Do you have written documentation</p> <p>21 for what information you provided or any</p> <p>22 documents that you had to submit in order to</p> <p>23 create that profile?</p> <p>24 A. I don't think so. I'm not</p>

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<p style="text-align: right;">Page 129</p> <p>1 aware of -- I can't remember what I had to 2 submit. But I don't think I have written 3 documentation. 4 Q. If you logged into the medical 5 marijuana registry right now would you be able 6 to access your profile? 7 A. Yes. 8 Q. Are you able to print out a copy 9 of your profile? 10 A. Probably. If it's on your screen 11 you can print it. 12 Q. In preparing and completing your 13 profile in the medical marijuana registry did 14 you have to submit any documents? 15 A. I don't think so. I don't 16 remember submitting anything. 17 Q. Did you receive any hard copy 18 documents back from the Pennsylvania Department 19 of Health or any other entity after you had 20 completed your medical marijuana registry 21 profile? 22 A. I believe so. I know I got the 23 card and I believe there was a letter as well. 24 I will need a two-minute restroom break at some</p>	<p style="text-align: right;">Page 131</p> <p>1 had checked out some dispensaries when were 2 originally applying for your medical marijuana 3 card. And I want to share my screen for a 4 moment again. 5 A. Sure. 6 (Exhibit 2 was marked for 7 identification.) 8 BY MS. FICARO 9 Q. Mr. Reynolds, I am showing you 10 copy of a document that I will ask be marked 11 Reynolds 2. This is another document that was 12 produced by your attorney in this action. At 13 the top it reads, No. 4 Dispensary Information. 14 And it appears to list three 15 different entities: Herbology Dispensary, Cure 16 Pennsylvania, Apothecarium Dispensary. Do you 17 recognize those names on this document? 18 A. Yes. 19 Q. Who prepared this document? 20 A. The date was provided by myself. 21 Q. Did you prepare the actual 22 document? 23 A. It looks very similar. I can't 24 testify if that's the exact one or if it was</p>
<p style="text-align: right;">Page 130</p> <p>1 point here. 2 Q. Sure. I'm fine if we take it 3 right now. 4 (Discussion held off the record.) 5 BY MS. FICARO 6 Q. Mr. Reynolds, when you stopped 7 using medical marijuana in May of 2021, did you 8 do that in consultation with a doctor? 9 A. No. 10 Q. Did you discuss with any of your 11 doctors the fact that you were going to stop 12 using medical marijuana? 13 A. Yes. I did tell them. 14 Q. Who did you tell? 15 A. One of the doctors at LG Health, 16 Musyt or Zimmerman. 17 Q. Did you seek their advice as 18 whether you should or you should not cease using 19 medical marijuana? 20 A. No. 21 Q. Did any of them tell you you 22 should continue using medical marijuana? 23 A. No. 24 Q. You mentioned earlier that you</p>	<p style="text-align: right;">Page 132</p> <p>1 copy pasted. But that is the exact information 2 I provided. 3 Q. What are these companies listed 4 on here? 5 A. Those are state-licensed medical 6 marijuana dispensaries. 7 Q. Do you purchase medical marijuana 8 from those dispensaries? 9 A. I did, yes. 10 Q. So under each of those entities 11 there is dates of purchase that appear to be 12 listed. 13 A. Yes. 14 Q. Herbology Dispensary it lists 15 November 16, 2020, December 18, 2020, August 21, 16 2020. Are those dates on which you purchased 17 medical marijuana from that dispensary? 18 A. Yes. 19 Q. How did you purchase the medical 20 marijuana from the dispensary? 21 A. I went to the dispensary and made 22 selections and a cash purchase. 23 Q. Do you have receipts from those 24 purchases?</p>

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<p style="text-align: right;">Page 133</p> <p>1 A. I'm uncertain.</p> <p>2 Q. Do you have any of the receipts?</p> <p>3 A. I don't know. That was a</p> <p>4 dreadfully disorganized time in my life.</p> <p>5 Q. Do you have -- are you able to</p> <p>6 look and see if you have copies of the receipts</p> <p>7 after this deposition?</p> <p>8 A. Not immediately. I'm in Phoenix</p> <p>9 now. I can testify to those dates specifically.</p> <p>10 I know those are accurate. But I don't know if</p> <p>11 I can provide receipts or not.</p> <p>12 Q. What causes you to specifically</p> <p>13 remember those dates?</p> <p>14 A. Google maps. I have a Android</p> <p>15 phone and it tracks everywhere you go. So I had</p> <p>16 to go to my timeline and find the days I went to</p> <p>17 the dispensaries. It is the only times I ever</p> <p>18 go to those places.</p> <p>19 Q. Is it possible that you have</p> <p>20 copies of those receipts?</p> <p>21 A. It's possible I have some copies.</p> <p>22 Q. I see here that there are dates</p> <p>23 of March 4, 2021 and February 11, 2021 listed</p> <p>24 under Cure Pennsylvania. Are those dates in</p>	<p style="text-align: right;">Page 135</p> <p>1 your medical marijuana card?</p> <p>2 A. No.</p> <p>3 Q. Have you purchased marijuana from</p> <p>4 anywhere else since -- I am not referring to</p> <p>5 medical marijuana exclusively -- I'm referring</p> <p>6 generally to marijuana. Have you purchased</p> <p>7 marijuana from anywhere else since July 21,</p> <p>8 2020?</p> <p>9 A. No.</p> <p>10 Q. Have you been provided marijuana</p> <p>11 from anywhere else since July 21, 2020?</p> <p>12 A. No.</p> <p>13 Q. When you use medical marijuana in</p> <p>14 what form do you use it?</p> <p>15 A. Preferable oral tinctures like</p> <p>16 drops. If those were not available then</p> <p>17 extracts, which are like essential oils.</p> <p>18 Q. Have you used medical marijuana</p> <p>19 in any other form since you obtained your</p> <p>20 license?</p> <p>21 A. No. Those were the forms I used</p> <p>22 it.</p> <p>23 Q. Have you smoked medical marijuana</p> <p>24 at all since July 21, 2020?</p>
<p style="text-align: right;">Page 134</p> <p>1 which you purchased medical marijuana from Cure</p> <p>2 Pennsylvania?</p> <p>3 A. Yes.</p> <p>4 Q. And then I see here under the</p> <p>5 Apothecary Dispensary there is dates listed</p> <p>6 January 29, 2021, October 1, 2020, August 3,</p> <p>7 2020 and July 21, 2021. Are those dates in</p> <p>8 which you purchased medical marijuana from that</p> <p>9 dispensary?</p> <p>10 A. That last date you said was 2021?</p> <p>11 That was...</p> <p>12 Q. So July 21, 2020.</p> <p>13 A. So, yes, those are dates</p> <p>14 purchased from that dispensary.</p> <p>15 Q. Is there reason why you used</p> <p>16 three different dispensaries?</p> <p>17 A. Yes.</p> <p>18 Q. What is the reason?</p> <p>19 A. Product selection. It varies</p> <p>20 dramatically. It's very inconsistent what they</p> <p>21 have available.</p> <p>22 Q. Have you purchased medical</p> <p>23 marijuana from anywhere other than those three</p> <p>24 dispensaries since you received your license,</p>	<p style="text-align: right;">Page 136</p> <p>1 A. No.</p> <p>2 Q. Have you used marijuana</p> <p>3 recreationally at all since July 2020?</p> <p>4 A. No.</p> <p>5 MS. FICARO: Steve, as a point to</p> <p>6 raise here, the fact that he has answered a</p> <p>7 question about recreational marijuana with</p> <p>8 regard to any time arguably waives any</p> <p>9 privilege that could be asserted with</p> <p>10 regard to questions about recreational</p> <p>11 marijuana in general.</p> <p>12 MR. AUERBACH: It is your call</p> <p>13 (inaudible) filing a protective order or</p> <p>14 motion in limine.</p> <p>15 MS. FICARO: Are you going to</p> <p>16 continue to instruct him not to answer</p> <p>17 those questions?</p> <p>18 MR. AUERBACH: The objection was</p> <p>19 specifically anything before July 2020. If</p> <p>20 you want to ask him anything on or after</p> <p>21 that date be my guest.</p> <p>22 MS. FICARO: What I'm saying is</p> <p>23 the fact that he has testified to</p> <p>24 recreational marijuana use after July 2020</p>

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<p style="text-align: right;">Page 137</p> <p>1 waives the privilege with regard to 2 questions about recreational marijuana in 3 general. 4 MR. AUERBACH: And I am saying it 5 doesn't. 6 MS. FICARO: So are you 7 instructing the witness then not to answer 8 any questions still about recreational 9 marijuana use before July 2020? 10 MR. AUERBACH: Yes. 11 MS. FICARO: We will address that 12 with the Court then. 13 MR. AUERBACH: Please. What 14 basis do you have to waive the Fifth 15 Amendment privilege? 16 MS. FICARO: Sorry? Say that 17 again. You cut out. 18 MR. AUERBACH: What basis you 19 have you challenge a Fifth Amendment 20 privilege? 21 MS. FICARO: He just waived the 22 privilege by answering a question about 23 recreational marijuana use at any time. 24 MR. AUERBACH: Continue.</p>	<p style="text-align: right;">Page 139</p> <p>1 milligrams of CBD. 2 Q. How do you know how much was in 3 each dose of medical marijuana? 4 A. When it comes in the tincture 5 form in a liquid bottle it says on the box one 6 dropper full contains a certain amount. So in 7 those cases I can -- that is what I'm use as my 8 basis to estimate those dosages. 9 Q. Do you still have copies of the 10 boxes in which the medical marijuana you 11 purchased came? 12 A. No. I cleaned everything out and 13 threw it all away. 14 Q. When did you throw it all away? 15 A. Sometime around May. 16 Q. Was that May 2021? 17 A. Yes. 18 Q. Why did you throw it away at that 19 time? 20 A. I was cleaning up just doing 21 housekeeping, cleaning up. 22 Q. Between July '20 and the 23 preemployment drug screen you took for Willert, 24 did you undergo any other drug screens during</p>
<p style="text-align: right;">Page 138</p> <p>1 MS. FICARO: So your position is 2 the same? 3 MR. AUERBACH: A hundred percent. 4 BY MS. FICARO 5 Q. Since July 2020, Mr. Reynolds, 6 how many times have you used medical marijuana? 7 A. I can't quantify that 8 specifically. 9 Q. Can you estimate or approximate 10 for me how many times a week between July 2020 11 and May 2021 you used medical marijuana? 12 A. Used? You said used, correct? 13 Q. Is there anything else you do 14 with the marijuana? 15 A. No. I'm just asking, just 16 clarifying. I would say five to seven times a 17 week. 18 Q. On those five to seven times a 19 week between July 2020 and May 2021 that you 20 would use medical marijuana, how much medical 21 marijuana did you use on each occasion? 22 A. I say approximately because it's 23 hard to quantify. But approximately one to five 24 milligrams of THC with a ratio of 10 to 15</p>	<p style="text-align: right;">Page 140</p> <p>1 that time? 2 A. No. 3 Q. When you used the medical 4 marijuana do you know how long it stays in your 5 system after you use it? 6 A. No. I don't know. 7 Q. Between July 2020 and May 2021 8 when you were using medical marijuana five to 9 seven times per week, was there a set schedule 10 on which you used the medical marijuana? 11 A. Typically in the evening. 12 Q. What time in the evening 13 typically would you take it? 14 A. Around 5:00 or 6:00 p.m. or 15 something like that. 16 Q. Between July 2020 and May 2021 17 when you stopped using medical marijuana, did 18 you take the medical marijuana in any form other 19 than tinctures or extracts? 20 A. No. 21 Q. Is there a difference between 22 marijuana used for medical purposes versus 23 marijuana used recreationally? 24 A. Well, I know the state requires a</p>

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<p style="text-align: right;">Page 141</p> <p>1 whole list of quality and safety checks in order 2 for a product to be sold in a legal dispensary. 3 And so I know that about the medical marijuana. 4 Q. Do you have any other information 5 that indicates the chemical composition between 6 medical marijuana and marijuana used for 7 recreational purposes is different? 8 A. I don't know. 9 Q. When you used medical marijuana 10 via tinctures, does it create an odor? 11 A. No, not really. 12 Q. When you use medical marijuana, 13 the extracts, does it create an odor? 14 A. The extract itself definitely has 15 a scent to it. 16 Q. After you used medical marijuana 17 do you emit a scent? 18 A. No. 19 Q. When you use medical marijuana do 20 you experience red eyes? 21 A. Sometimes. 22 Q. When you use medical marijuana do 23 use experience poor muscle coordination? 24 A. No.</p>	<p style="text-align: right;">Page 143</p> <p>1 does it affect your coordination? 2 A. No. 3 Q. When you use medical marijuana do 4 you experience dizziness? 5 A. No. 6 Q. When you use medical marijuana do 7 you ever feel like your perception is distorted? 8 A. My visual -- what I am seeing? 9 Q. Yes. 10 A. No. 11 Q. When you use medical marijuana do 12 you ever feel like you experience impaired 13 cognition? 14 A. No. I mean, lets me ask for a 15 point of clarity on that. Does like feeling 16 sleepy or tired count for cognition? 17 Q. When you use medical marijuana do 18 you feel sleepy or tired? 19 A. Sometimes. 20 Q. Do you know if medical marijuana 21 shows up differently on a drug test than 22 recreational marijuana might? 23 A. I can't scientifically answer 24 that. I would be guessing.</p>
<p style="text-align: right;">Page 142</p> <p>1 Q. When you use medical marijuana do 2 you experience delayed reaction times? 3 A. No. 4 Q. When you use medical marijuana do 5 you experience an increased appetite? 6 A. No. 7 Q. When you use medical marijuana do 8 you experience sudden shifts in your mood? 9 A. Well, that's kind of the point of 10 the medicine is to go from anxious to feeling 11 okay. Or does mood mean something else other 12 than anxiety? Sorry. Maybe I need more 13 clarification. 14 Q. Is it fair to say then when you 15 use medical marijuana that there is a sudden 16 shift in your mood from feeling anxious to 17 feeling okay? 18 A. Oh, yes. It's effective. 19 Q. When use medical marijuana do you 20 feel like you are under the influence? 21 A. No. 22 Q. Do you feel high? 23 A. No. 24 Q. When you use medical marijuana</p>	<p style="text-align: right;">Page 144</p> <p>1 Q. On the day you took drug screen 2 for Willert did you use medical marijuana that 3 day? 4 A. No. 5 Q. When did you last use medical 6 marijuana before you took the drug screen for 7 Willert? 8 A. I can't answer with a hundred 9 percent certainty but likely within 36 hours 10 prior. 11 Q. Is it possible you used medical 12 marijuana the night before you took the drug 13 screen from Willert? 14 A. Possible. 15 Q. My understanding is that you took 16 the drug screen for Willert on October 28, 2020; 17 is that accurate? 18 A. That sounds correct. I believe 19 so. 20 Q. Were you actually scheduled to 21 originally take the drug screen the day before 22 on October 27, 2020? 23 A. I don't remember. It's possible. 24 There was a lot unplanned breakdowns and stuff</p>

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<p style="text-align: right;">Page 145</p> <p>1 going on. So I don't remember that. You are</p> <p>2 asking so I am assuming that is coming from</p> <p>3 somewhere.</p> <p>4 (Exhibit 3 was marked for</p> <p>5 identification.)</p> <p>6 BY MS. FICARO</p> <p>7 Q. I will share my screen with you.</p> <p>8 I am showing you a copy of a document that I</p> <p>9 will ask be marked as Reynolds 3. I will scroll</p> <p>10 down so you can see the whole document. I will</p> <p>11 tell you Willert produced this in discovery in</p> <p>12 this matter.</p> <p>13 If you look at the bottom of both</p> <p>14 pages first you will see there is Bates labels</p> <p>15 at the bottom, Willert 0044 and Willert 0045.</p> <p>16 Do you see those numbers there?</p> <p>17 A. Yes.</p> <p>18 Q. I will scroll all way to the</p> <p>19 bottom because it's an email chain.</p> <p>20 A. Okay.</p> <p>21 Q. So you will see here at the</p> <p>22 bottom the name David Furno. Who is David</p> <p>23 Furno?</p> <p>24 A. He was one of the salaried people</p>	<p style="text-align: right;">Page 147</p> <p>1 A. I'm seeing it and reading it. I</p> <p>2 forgot the facts. So I agree because I'm seeing</p> <p>3 it there. I don't remember the circumstances</p> <p>4 back then.</p> <p>5 Q. Do you have any reason to</p> <p>6 disagree or refute the fact you were originally</p> <p>7 scheduled to take that test on October 27?</p> <p>8 A. No. I don't think they made that</p> <p>9 up.</p> <p>10 Q. Scrolling up little bit higher</p> <p>11 here there is an email from you dated</p> <p>12 October 27, 2020 at 3:21 p.m. The subject is</p> <p>13 Re: new employee drug screens, to Dave Furno.</p> <p>14 And it reads, I missed my appointment today.</p> <p>15 Was having so much fun I couldn't quit.</p> <p>16 Do you see that there?</p> <p>17 A. Yes.</p> <p>18 Q. And MReynolds@Willert.com, was</p> <p>19 that your email address at Willert?</p> <p>20 A. I had another call coming in</p> <p>21 quick.</p> <p>22 Q. Is that your email address at</p> <p>23 Willert?</p> <p>24 A. Yes.</p>
<p style="text-align: right;">Page 146</p> <p>1 there at Willert. It was quality, safety,</p> <p>2 environmental I believe were his</p> <p>3 responsibilities.</p> <p>4 Q. I will scroll up a little bit</p> <p>5 here at the top of this email. It appears as</p> <p>6 though it was sent on Monday, October 26, 2020</p> <p>7 from email address DFurno@Willert.com. Do you</p> <p>8 see that there?</p> <p>9 A. Yes.</p> <p>10 Q. Was that Mr. Furno's email</p> <p>11 address at Willert?</p> <p>12 A. Yes.</p> <p>13 Q. It says, Gentlemen, I have you</p> <p>14 scheduled for new employee drug screens,</p> <p>15 occupational health and rehabilitation services</p> <p>16 at Care Plex, 81 Robinson Street, Pottstown.</p> <p>17 That's for another individual. And there is</p> <p>18 another individual's name. And the last name</p> <p>19 here is Matthew Reynolds. Tuesday, October 27th</p> <p>20 at 2:00 p.m. Do you see that there?</p> <p>21 A. Yes.</p> <p>22 Q. Does that refresh your</p> <p>23 recollection as to the fact you were supposed to</p> <p>24 go for that drug screen on October 27?</p>	<p style="text-align: right;">Page 148</p> <p>1 Q. Does that refresh your</p> <p>2 recollection as to whether you missed that drug</p> <p>3 test on October 27?</p> <p>4 A. That is certainly something that</p> <p>5 I wrote.</p> <p>6 Q. Why did you miss the drug test</p> <p>7 appointment on October 27, 2020?</p> <p>8 A. It was a really busy day at work.</p> <p>9 And when I say was having so much fun, I enjoyed</p> <p>10 my job. And there was breakdowns, high priority</p> <p>11 issues that I was attending to. And that was my</p> <p>12 way of saying that I needed to keep the business</p> <p>13 running. And so we needed to reschedule it.</p> <p>14 Q. In the middle of that crazy day</p> <p>15 was there any reason why you didn't contact</p> <p>16 Mr. Furno before the 2:00 p.m. appointment and</p> <p>17 say I'm not going to be able to make it today,</p> <p>18 I'm slammed at work?</p> <p>19 A. I might have just lost track of</p> <p>20 time. I can't remember the specifics breakdown</p> <p>21 situation or what I was doing that day. I</p> <p>22 couldn't tell what you line broke or anything.</p> <p>23 I will just say I lost track of time.</p> <p>24 Q. Mr. Reynolds, how did you come to</p>

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<p style="text-align: right;">Page 149</p> <p>1 find out about the job at Willert?</p> <p>2 A. I believe a recruiter. Hang</p> <p>3 tight a second. I will put my phone on, Do not</p> <p>4 disturb. It might turn my video off for a</p> <p>5 second.</p> <p>6 Q. Sure. Jumping back for a moment</p> <p>7 here, does your wife use medical marijuana?</p> <p>8 A. No.</p> <p>9 Q. Does your wife use marijuana</p> <p>10 recreationally?</p> <p>11 A. No. Wait. Hang on a second.</p> <p>12 The last time I said no to a recreational</p> <p>13 question it got me in trouble. So am I allowed</p> <p>14 to answer that?</p> <p>15 MR. AUERBACH: Are you allowed to</p> <p>16 answer that? I don't think we have a basis</p> <p>17 to assert privilege. I think you have to.</p> <p>18 THE WITNESS: No. She doesn't</p> <p>19 use any kind of marijuana.</p> <p>20 BY MS. FICARO</p> <p>21 Q. Did she use any kind of marijuana</p> <p>22 in October or November 2020?</p> <p>23 A. No.</p> <p>24 Q. What is your older son's name?</p>	<p style="text-align: right;">Page 151</p> <p>1 Q. In October 2020 and November 2020</p> <p>2 did Isaac use marijuana recreationally?</p> <p>3 A. No.</p> <p>4 Q. In October 2020 and November 2020</p> <p>5 was anyone else living in the same house as you</p> <p>6 except for your -- other than your wife and your</p> <p>7 two sons?</p> <p>8 A. No.</p> <p>9 Q. So jumping back then you were</p> <p>10 mentioning a recruiter here. So a recruiter led</p> <p>11 you to Willert. Do you recall the name of the</p> <p>12 recruiter?</p> <p>13 A. I think it was Mike or Matt. I</p> <p>14 will not swear to it. So maybe I should say I</p> <p>15 don't know.</p> <p>16 Q. Was there a company with which</p> <p>17 that recruiter was affiliated?</p> <p>18 A. Yes. I believe so. I can't</p> <p>19 provide the name.</p> <p>20 Q. Do you recall where that company</p> <p>21 was located?</p> <p>22 A. No.</p> <p>23 Q. How did you get contact with that</p> <p>24 recruiter?</p>
<p style="text-align: right;">Page 150</p> <p>1 A. Logan.</p> <p>2 Q. In October 2020 and November 2020</p> <p>3 was he living in the same house as you?</p> <p>4 A. Yes.</p> <p>5 Q. Does Logan use marijuana?</p> <p>6 A. No.</p> <p>7 Q. Just to be specific: Does he use</p> <p>8 medical marijuana?</p> <p>9 A. No.</p> <p>10 Q. Does he use recreational</p> <p>11 marijuana?</p> <p>12 A. No.</p> <p>13 Q. In October 2020 and November 2020</p> <p>14 did Logan use marijuana recreationally?</p> <p>15 A. No.</p> <p>16 Q. In October 2020 and November 2020</p> <p>17 did Logan use medical marijuana?</p> <p>18 A. No.</p> <p>19 Q. In October 2020 and November 2020</p> <p>20 was Isaac living in the same house as you?</p> <p>21 A. Yes.</p> <p>22 Q. In October 2020 and November 2020</p> <p>23 did Isaac use medical marijuana?</p> <p>24 A. No.</p>	<p style="text-align: right;">Page 152</p> <p>1 A. We had been working together for</p> <p>2 sometime through 2020. I believe he found me.</p> <p>3 I had my resume posted all over the internet.</p> <p>4 So I believe he contacted me and presented a</p> <p>5 number of employment opportunities which I tried</p> <p>6 for.</p> <p>7 Q. Did you have to complete a</p> <p>8 application in order to get the job at Willert?</p> <p>9 A. No.</p> <p>10 Q. Did you submit any documentation</p> <p>11 in order to get the job at Willert?</p> <p>12 A. Not that I remember. I don't</p> <p>13 believe so.</p> <p>14 Q. Did you have any interviews with</p> <p>15 anyone at Willert before you began working at</p> <p>16 Willert?</p> <p>17 A. Yes.</p> <p>18 Q. How many interviews did you have?</p> <p>19 A. So there are two instances. I</p> <p>20 will say two.</p> <p>21 Q. Two instances, did you say? Or</p> <p>22 two interviews?</p> <p>23 A. There is one that was definitely</p> <p>24 an interview and there was an in-person meeting</p>

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<p style="text-align: right;">Page 153</p> <p>1 there. But that was not really structured as an</p> <p>2 interview at all. But it was prior to</p> <p>3 employment. So that is why I say instances.</p> <p>4 Q. With regard to the interview when</p> <p>5 did that take place?</p> <p>6 A. Maybe like the Thursday before.</p> <p>7 So it would have been like maybe the 18th, 19th</p> <p>8 or -- no, no. Sorry. I am doing math here.</p> <p>9 Lets say at the 8th or 9th of October, the week</p> <p>10 before I started I started like Friday the 16th.</p> <p>11 And I think it was the week prior.</p> <p>12 Q. Did that interview occur in</p> <p>13 person?</p> <p>14 A. No.</p> <p>15 Q. Was it conducted telephonically?</p> <p>16 A. Does that include a Zoom?</p> <p>17 Q. No. That is different. Did it</p> <p>18 occur via video conference?</p> <p>19 A. Yes.</p> <p>20 Q. Who interviewed you from Willert?</p> <p>21 A. Bryan Willert.</p> <p>22 Q. Did anyone else besides you and</p> <p>23 Bryan Willert participate in that interview?</p> <p>24 A. No.</p>	<p style="text-align: right;">Page 155</p> <p>1 Windex-style bottle with a trigger on it. Those</p> <p>2 are the main lines.</p> <p>3 Q. In to order make those products</p> <p>4 did it involve the mixing of chemicals?</p> <p>5 A. Yes. They had mix tanks there.</p> <p>6 Q. What types of chemicals were</p> <p>7 being mixed there at the plant when you</p> <p>8 interviewed there and when you began to work</p> <p>9 there?</p> <p>10 A. I don't know. I know some of</p> <p>11 those products are 99 percent water. Just FYI</p> <p>12 when you are paying \$7 for a thing of cleaner</p> <p>13 it's a lot of water. I don't know what the</p> <p>14 actual chemicals were. Some fragrances and</p> <p>15 maybe surfactants or something.</p> <p>16 Q. What else did Bryan Willert</p> <p>17 explain to you about what they were looking for</p> <p>18 in a manager?</p> <p>19 A. One thing he specifically said</p> <p>20 that stood out I was used to being on call at</p> <p>21 the cheese place at Fleur De Lait. And I only</p> <p>22 lived six miles from that plant. And I was</p> <p>23 explaining to him that I wouldn't be as</p> <p>24 available for Willert because I lived 40 minutes</p>
<p style="text-align: right;">Page 154</p> <p>1 Q. What did you and Bryan Willert</p> <p>2 discuss during that interview?</p> <p>3 A. My background, job history, the</p> <p>4 general processes they were doing there at the</p> <p>5 plant, kind of the timeline of what they were</p> <p>6 doing. Just basically expectations of what he</p> <p>7 is looking for in a manager.</p> <p>8 Q. What did Mr. Willert explain to</p> <p>9 you about the processes, the general processes</p> <p>10 of the plant?</p> <p>11 A. Well, I understood that they are</p> <p>12 making two or three products there at the time.</p> <p>13 But that they were going to be rapidly</p> <p>14 expanding, adding new equipment, bringing in new</p> <p>15 lines. So that all sounded pretty exiting.</p> <p>16 Q. What products were they making</p> <p>17 there at the plant at the time you interviewed</p> <p>18 there?</p> <p>19 A. Ty-D-Bowl. Which is a upside</p> <p>20 down bottle you can put in the back of a commode</p> <p>21 to make blue water. Some air refreshers and</p> <p>22 like a gel air freshener. It comes in short</p> <p>23 container. Then a spray bottle air freshener or</p> <p>24 cleaner. But something that comes in a</p>	<p style="text-align: right;">Page 156</p> <p>1 away for on-call situations and after hours and</p> <p>2 stuff. And I remember him saying, well, I am</p> <p>3 not looking for you to be doing work. I'm</p> <p>4 looking for you to be coordinating the efforts</p> <p>5 of people doing the work. He outlined it that</p> <p>6 that is not your job. You are the guy</p> <p>7 coordinating the people doing that.</p> <p>8 Q. Did he explain what he meant when</p> <p>9 he said by coordinating those efforts?</p> <p>10 A. No. He didn't expound on that</p> <p>11 too much as far as I recall. I understood what</p> <p>12 he meant. Or I think I did.</p> <p>13 Q. Did you ask him to explain what</p> <p>14 he meant by coordinating those efforts?</p> <p>15 A. No.</p> <p>16 Q. Did he explain to you anything</p> <p>17 else about the responsibilities of a maintenance</p> <p>18 manager at the facility?</p> <p>19 A. I don't remember.</p> <p>20 Q. Did he show you anything in</p> <p>21 writing about the job responsibilities of a the</p> <p>22 maintenance manager at Willert?</p> <p>23 A. No.</p> <p>24 Q. Do you recall anything else that</p>

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<p style="text-align: right;">Page 157</p> <p>1 you and he discussed during that interview?</p> <p>2 A. The only other thing coming to</p> <p>3 mind is just he told me some of his background,</p> <p>4 his professional or personal background. But</p> <p>5 that was not really relevant to this. That is</p> <p>6 all I remember talking about otherwise.</p> <p>7 Q. During that interview did you</p> <p>8 have red eyes?</p> <p>9 A. I don't know.</p> <p>10 Q. Did you use any medical marijuana</p> <p>11 before the interview?</p> <p>12 A. No.</p> <p>13 Q. Did you mention to Mr. Willert</p> <p>14 that you were a medical marijuana patient during</p> <p>15 the interview?</p> <p>16 A. No.</p> <p>17 Q. Was there any discussion about</p> <p>18 preemployment drug screen during that initial</p> <p>19 interview?</p> <p>20 A. No.</p> <p>21 Q. You mentioned there was as an</p> <p>22 in-person meeting. When did the in-person</p> <p>23 meeting prior to your employment occur?</p> <p>24 A. Wednesday. I think Wednesday,</p>	<p style="text-align: right;">Page 159</p> <p>1 Q. Did you ever see Bryan Willert at</p> <p>2 the Douglassville location other than the time</p> <p>3 of your in-person meeting with him?</p> <p>4 A. Yes. At least once. He came</p> <p>5 back maybe a week or so later.</p> <p>6 Q. What was discussed during that</p> <p>7 October 14, 2020 in-person meeting?</p> <p>8 A. He explained the processes and</p> <p>9 explained that he was looking for people that he</p> <p>10 could trust to take care of the operation so he</p> <p>11 wouldn't have to be there. And he asked me if I</p> <p>12 thought I could do it. And I said yes. We</p> <p>13 shook hands on it and that was it.</p> <p>14 Q. And, again, what was discussed</p> <p>15 regarding the processes?</p> <p>16 A. It was just a tour of the plant</p> <p>17 to see the kinds of equipment that were there to</p> <p>18 see if I was comfortable maintaining that</p> <p>19 equipment and different manufacturing</p> <p>20 facilities. A wide variety of different stuff.</p> <p>21 And my background lent itself to what they were</p> <p>22 doing there. And I felt very confident I could</p> <p>23 perform the role. Just kind of a process check.</p> <p>24 Do you think you can do this? Was his question</p>
<p style="text-align: right;">Page 158</p> <p>1 October 14th two days before I started.</p> <p>2 Q. So that's October 14, 2020?</p> <p>3 A. Yes. I believe so. I want to</p> <p>4 check a calendar before I bet a paycheck on it.</p> <p>5 But yes.</p> <p>6 Q. Who participated in that</p> <p>7 in-person meeting?</p> <p>8 A. Bryan Willert and Jack Bonsky.</p> <p>9 Q. Who is Jack Bonsky?</p> <p>10 A. He was the brand new plant</p> <p>11 manager who just accepted his role five minutes</p> <p>12 before I walked in the door.</p> <p>13 Q. Where did the in-person meeting</p> <p>14 occur?</p> <p>15 A. Throughout the plant. We walked</p> <p>16 the operation and looked over the facility. So</p> <p>17 we went for a walk.</p> <p>18 Q. When you refer to the plant are</p> <p>19 you referring to Willert's Douglassville</p> <p>20 location?</p> <p>21 A. Yes.</p> <p>22 Q. Is that the location where you</p> <p>23 worked at for Willert?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 160</p> <p>1 to me.</p> <p>2 Q. During the in-person meeting did</p> <p>3 you mention to Mr. Willert and Mr. Bonsky you</p> <p>4 were a medical marijuana patient?</p> <p>5 A. No.</p> <p>6 Q. During the time of the in-person</p> <p>7 meeting did you have red eyes at all?</p> <p>8 A. I don't know.</p> <p>9 Q. Did you take any medical</p> <p>10 marijuana before the in-person meeting?</p> <p>11 A. No.</p> <p>12 Q. When was the last time you took</p> <p>13 medical marijuana before the in-person meeting?</p> <p>14 A. I can't tell you. I don't know.</p> <p>15 Q. Did Mr. Willert or Mr. Bonsky</p> <p>16 make comments to you during the in-person</p> <p>17 meeting about medical marijuana?</p> <p>18 A. No.</p> <p>19 Q. Did Mr. Willert or Mr. Bonsky</p> <p>20 make any comments to you during the in-person</p> <p>21 meeting regarding marijuana?</p> <p>22 A. No.</p> <p>23 Q. Did Mr. Willert make comments to</p> <p>24 you regarding medical marijuana during the first</p>

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<p style="text-align: right;">Page 161</p> <p>1 interview that you had with him?</p> <p>2 A. No.</p> <p>3 Q. Did Mr. Willert make any comments</p> <p>4 to you about marijuana in general during the</p> <p>5 first interview that you had with him?</p> <p>6 A. No.</p> <p>7 Q. Other than what you already</p> <p>8 testified to, can you recall anything else that</p> <p>9 was discussed during that in-person meeting that</p> <p>10 you mentioned?</p> <p>11 A. General introduction between me</p> <p>12 and Jack Bonsky. We talked about having fun a</p> <p>13 lot. Jack was a high-energy guy. He was</p> <p>14 excited to be there. And so was I. And it was</p> <p>15 really unique in that sense. It was like having</p> <p>16 fun was the kind of part of the objective and</p> <p>17 that really stood out. It was part of what made</p> <p>18 that job special at the time.</p> <p>19 Q. What was it about that job that</p> <p>20 seemed like it would be fun to you?</p> <p>21 A. The people. I mean, there is not</p> <p>22 necessarily anything fun about a building or</p> <p>23 machinery. But it's the attitude and the</p> <p>24 atmosphere that the people and the leadership</p>	<p style="text-align: right;">Page 163</p> <p>1 at the bottom of each page of the two-page</p> <p>2 document, Willert 0001 and Willert 00002. Do</p> <p>3 you see those Bates labels?</p> <p>4 A. Yes.</p> <p>5 Q. Scrolling back to the top here it</p> <p>6 appears to be a letter on Willert Manufacturing</p> <p>7 Company's letterhead. Do you see that top</p> <p>8 there?</p> <p>9 A. Yes.</p> <p>10 Q. It is dated October 15, 2020. Do</p> <p>11 you see that there?</p> <p>12 A. Yes.</p> <p>13 Q. Do you recognize this document?</p> <p>14 A. Yes.</p> <p>15 Q. What is this document?</p> <p>16 A. This it would be a offer letter,</p> <p>17 yes.</p> <p>18 Q. Is that the offer letter you</p> <p>19 received for the position of maintenance manager</p> <p>20 at Willert?</p> <p>21 A. Yes.</p> <p>22 Q. Take a look at that there. There</p> <p>23 are bullet points after the first paragraph.</p> <p>24 And the first one reads, Full-time\part-time.</p>
<p style="text-align: right;">Page 162</p> <p>1 put in place. And that was kind of the MO from</p> <p>2 Bryan and Jack was like, hey, we are going to do</p> <p>3 this and we are going to have a good time doing</p> <p>4 it.</p> <p>5 Q. After the in-person meeting were</p> <p>6 you offered a position at Willert?</p> <p>7 A. Yes.</p> <p>8 Q. What position were you offered?</p> <p>9 A. Maintenance manager.</p> <p>10 Q. Did you receive an offer letter</p> <p>11 from Willert?</p> <p>12 A. I think a few days after I</p> <p>13 started there was there was an offer letter.</p> <p>14 But I had already been working a few days.</p> <p>15 Q. What was the first day that you</p> <p>16 began working at Willert?</p> <p>17 A. Friday, October 15th or 16th,</p> <p>18 2020.</p> <p>19 (Exhibit 4 was marked for</p> <p>20 identification.)</p> <p>21 BY MS. FICARO</p> <p>22 Q. I will share my screen with you.</p> <p>23 I am showing you a copy of a document I will ask</p> <p>24 be marked Reynolds 4. There are Bates numbers</p>	<p style="text-align: right;">Page 164</p> <p>1 And it says, Full-time salary exempt employee.</p> <p>2 Am I reading that correctly?</p> <p>3 A. Yes.</p> <p>4 Q. The next one says, Pay rate.</p> <p>5 \$3,269.24 per biweekly pay period. Is that what</p> <p>6 you earned per biweekly pay period while you</p> <p>7 worked for Willert?</p> <p>8 A. Yes.</p> <p>9 Q. The next sentence there says,</p> <p>10 Upon completion of project goals defined by the</p> <p>11 plant manager you will receive a bonus of</p> <p>12 \$15,000. Do you see that there?</p> <p>13 A. Yes.</p> <p>14 Q. What were the project goals that</p> <p>15 needed to be completed in order for you to</p> <p>16 receive that bonus?</p> <p>17 A. That entire list had not been</p> <p>18 defined in the time that I was there. There</p> <p>19 were a couple of opportunities highlighted. But</p> <p>20 it was not established in writing, nor was the</p> <p>21 entire list defined.</p> <p>22 Q. When you say there were a couple</p> <p>23 opportunities that were highlighted, what do you</p> <p>24 mean by that?</p>

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<p style="text-align: right;">Page 165</p> <p>1 A. I remember Bryan Willert and I 2 was walking through. And there was a specific 3 piece of equipment that had broke down very 4 frequently in a short amount of time. And he 5 said, hey, remember that bonus thing we talked 6 about, and he pointed to that thing to get on it 7 and see what you could do. 8 So it was -- to me that was, 9 okay, I fix this thing, make it not break 10 anymore. And that will contribute to a bonus 11 there. 12 Q. Did he ever mention anything else 13 to you about any type of tasks that might 14 constitute project goals entitling you to a 15 bonus? 16 A. We had talked about line 17 performance and what they call OEE or Equipment 18 Effectiveness, Equipment efficiency, how well 19 the plant runs. But it was very high-level 20 conversation. It was -- we were talking in 21 generalities up front. The maintenance of the 22 equipment has an impact on how well it runs. 23 And, you know, it was understood and agreed 24 between us that if there was a measurable</p>	<p style="text-align: right;">Page 167</p> <p>1 A. Again Google timeline. You go in 2 and you see when you arrive and depart a place. 3 So I went through and tallied up the hours for 4 each day that I was there and put it in a Excel 5 spreadsheet and totaled it. 6 Q. Do you have that Excel 7 spreadsheet? 8 A. I believe it has been submitted 9 as part of the documents somewhere. Or at least 10 the total hours were. 11 Q. Why did you prepare that Excel 12 spreadsheet? 13 A. Because I felt that it showed I 14 was going above and beyond the minimum. It said 15 all I had to work was 40 hours a week and I was 16 there for 150 percent of that. 17 Q. Did you call out of work on any 18 days during the limited time you worked at 19 Willert? 20 A. The day -- yes. One day. 21 Q. How many times did you call out 22 during the two-week period you worked there? 23 A. One day. 24 Q. Did you take any half days during</p>
<p style="text-align: right;">Page 166</p> <p>1 improvement in the way things were running after 2 I had been there a while that would be 3 considered a part of a bonus opportunity. 4 Q. Did he ever write that down for 5 you? 6 A. No. 7 Q. When you got the offer letter did 8 you see to him, What are those project goals 9 that I need to accomplish in order to receive 10 this bonus? 11 A. No. 12 Q. Do you see the next sentence 13 there says, Future bonuses are determined and 14 paid at the discretion of management? 15 A. Yes. 16 Q. The next bullet point indicates 17 hours, minimum of 40 hours per week. 18 A. Correct. 19 Q. Did you work 40 hours per week 20 during the time that you worked at Willert? 21 A. I believe it was 59 hours and 60 22 hours. 23 Q. How were you tracking those 24 hours?</p>	<p style="text-align: right;">Page 168</p> <p>1 the period of time you worked there? 2 A. No. I don't believe so. 3 Q. Was there a set time by which you 4 were expected to arrive at work? 5 A. No. 6 Q. Did you have set hours there for 7 work? 8 A. No. 9 Q. Here it says that your start date 10 is October 19, 2020. Do you believe you began 11 before the start date listed in your offer 12 letter? 13 A. Yes. 14 Q. You believe it was October 15th 15 or 16th that you began working at Willert? 16 A. Yes. We met Wednesday. Jack 17 started Thursday. And I started Friday. 18 Q. So in terms then of the next 19 bullet point, Benefits, it says, See salaried 20 employee benefit packet attached. And then it 21 says, As a deviation from our standard salaried 22 employee benefit package you will receive four 23 weeks paid vacation per year. Do you see that? 24 A. Yes.</p>

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<p style="text-align: right;">Page 169</p> <p>1 Q. Was it your understanding that</p> <p>2 you would receive that vacation time per year?</p> <p>3 A. Yes.</p> <p>4 Q. The offer letter reads, This</p> <p>5 offer is contingent upon successful completion</p> <p>6 of a pre-employment drug test. Do you see that</p> <p>7 there?</p> <p>8 A. Yes.</p> <p>9 Q. Did you read that offer letter</p> <p>10 when you received it?</p> <p>11 A. Yes.</p> <p>12 Q. Did you have to sign the offer</p> <p>13 letter?</p> <p>14 A. I believe so.</p> <p>15 Q. Scrolling down on the document</p> <p>16 here to the second page there is a signature</p> <p>17 line that says, I, Matt Reynolds, accept the</p> <p>18 offer as presented above. And there is</p> <p>19 signature there. Is that your signature?</p> <p>20 A. Yes.</p> <p>21 Q. So scrolling up then again was it</p> <p>22 your understanding that you had to successfully</p> <p>23 complete a preemployment drug test in order to</p> <p>24 work at Willert?</p>	<p style="text-align: right;">Page 171</p> <p>1 you as a benefit package at the time that you</p> <p>2 were offered employment at Willert?</p> <p>3 A. I believe so.</p> <p>4 Q. Do you believe that this package</p> <p>5 accurately represents the benefits being offered</p> <p>6 to you in order to work at Willert?</p> <p>7 A. Yes. Clearly I can't read the</p> <p>8 whole thing now. But looking at the bullet</p> <p>9 points, the bold underlined things, that all</p> <p>10 looks...</p> <p>11 Q. Would you like to read the whole</p> <p>12 thing before you answer that?</p> <p>13 A. No. Just scroll down. Keep</p> <p>14 going. There this page 1, okay. Keep going.</p> <p>15 Okay. Bereavement. Okay. Jury duty. I</p> <p>16 believe -- yes. I believe I was presented this.</p> <p>17 Q. And do you believe that the</p> <p>18 benefits set forth in this package were the</p> <p>19 benefits being offered to you for the purpose of</p> <p>20 your employment at Willert?</p> <p>21 A. Yes. I believe so.</p> <p>22 Q. I will stop sharing.</p> <p>23 As the maintenance manager at</p> <p>24 Willert, what were your job responsibilities?</p>
<p style="text-align: right;">Page 170</p> <p>1 A. Yes.</p> <p>2 Q. When you received that offer</p> <p>3 letter and read it did you say to anyone at</p> <p>4 Willert, I am a medical marijuana patient?</p> <p>5 A. No.</p> <p>6 (Exhibit 5 was marked for</p> <p>7 identification.)</p> <p>8 BY MS. FICARO</p> <p>9 Q. I will stop sharing the screen</p> <p>10 and pull up another document. I will share my</p> <p>11 screen again. I will show you another document.</p> <p>12 I will ask that be marked as Reynolds 5. Take a</p> <p>13 look at that document. I am scrolling down to</p> <p>14 the bottom of this three-page document are Bates</p> <p>15 labels. And if you see Willert 00005, Willert</p> <p>16 0006, Willert 0007. Do you see that?</p> <p>17 A. Yes.</p> <p>18 Q. At the top, scrolling back up to</p> <p>19 the top, title on the document is Willert Home</p> <p>20 Products, Inc. Salaried Full-time Employee</p> <p>21 Benefit Package.</p> <p>22 Do you recognize this document?</p> <p>23 A. Yes. I believe I have seen that.</p> <p>24 Q. Was this document presented to</p>	<p style="text-align: right;">Page 172</p> <p>1 A. Safety, making sure my employees</p> <p>2 left the same way they came in. And equipment</p> <p>3 up time, ensuring that my employees supported</p> <p>4 production and keep the place running.</p> <p>5 (Exhibit 6 was marked for</p> <p>6 identification.)</p> <p>7 BY MS. FICARO</p> <p>8 Q. I will share my screen with you</p> <p>9 again. Mr. Reynolds, I pulled up another</p> <p>10 document that I will ask be marked as Reynolds</p> <p>11 6. Scrolling down that document there are Bates</p> <p>12 labels at the bottom of the document here. The</p> <p>13 first page is 000109 and then you have 110. And</p> <p>14 then it goes to 000111. Do you see that?</p> <p>15 A. Yes.</p> <p>16 Q. This is a job description for the</p> <p>17 maintenance manager position there. The summary</p> <p>18 says, Maintenance managers oversee the repairs</p> <p>19 and installations and upkeep of various machines</p> <p>20 and power equipment associated with all parts of</p> <p>21 the production of liquid film manufacturing.</p> <p>22 Do you agree that those were part</p> <p>23 of your job responsibilities as maintenance</p> <p>24 manager at Willert?</p>

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<p style="text-align: right;">Page 173</p> <p>1 A. Yes, that was part of my 2 responsibility. 3 Q. Then says the main duties include 4 designing maintenance procedures, tracking 5 budgets and expenses and performing inspections 6 on different machines and equipment to find 7 problems and make repairs or replace as needed. 8 Were those part of your job 9 responsibilities as well? 10 A. To be honest I believe those were 11 implied. I don't think we ever spoke to them in 12 each of those bullet points in detail. But just 13 in my professional experience I would assume 14 that those things would be part of my 15 responsibility. 16 Q. So when you say they were 17 implied, what you mean is that it was your 18 understanding that that would be included within 19 your job responsibilities at Willert? 20 A. Yes. My understanding or my 21 assumptions would have led me to believe that 22 that stuff would be falling under my 23 responsibility, yes. 24 Q. Then it talks about essential</p>	<p style="text-align: right;">Page 175</p> <p>1 maintenance and repair work in process areas? 2 A. Yes. 3 Q. Is it your understanding that 4 part of your responsibilities included 5 communicating directly with QA laboratory to 6 ensure effective participation by the 7 maintenance technicians in the implementation of 8 QA policies and procedures? 9 A. Sure. I guess to the extent that 10 maintenance would overlap with -- quality 11 assurance typically doesn't have a lot to do 12 with maintenance. But if there were procedures 13 that applied to maintenance then, yes. 14 Certainly, yes. 15 Q. Is your understanding that your 16 job responsibilities included implementing 17 programs or procedures required to ensure plant 18 cleanliness? 19 A. No. Honestly I don't think so. 20 The maintenance technicians were mostly focused 21 on production equipment. I didn't have any 22 janitorial housekeeping staff. So, no, I will 23 say no for that one. 24 Q. Is it your understanding that</p>
<p style="text-align: right;">Page 174</p> <p>1 duties and responsibilities include the 2 following: And other duties may be assigned. 3 So in addition to what we already discussed here 4 I will read run this list. And if you are able 5 to provide me with a yes or no as to your 6 understanding as to whether your job 7 responsibilities included these items please do 8 so. 9 A. Can I just say during my 10 employment there I was never presented with this 11 document. So I as we go through these things 12 this is solely based on my personal 13 understanding of what it means to be a 14 maintenance manager. I want to say that. 15 Q. That's fine. 16 A. Okay. 17 Q. I understand that. I'm asking 18 you if this was your understanding that these 19 were part of your responsibilities. 20 A. Okay. 21 Q. So is it your understanding that 22 part of your responsibilities included 23 communicating directly with the production 24 manager and general manager to coordinate</p>	<p style="text-align: right;">Page 176</p> <p>1 your responsibilities included assisting the 2 planning and implementing plant improvements and 3 expansions? 4 A. Yes. 5 Q. Is it your understanding that 6 your job responsibilities included conducting 7 employee performance reviews based on job 8 descriptions to determine competency, knowledge 9 and contribution of the maintenance technicians? 10 A. Yes. 11 Q. Is it your understanding that 12 your job responsibilities included maintaining, 13 updating, operating training manuals for the 14 maintenance department? 15 A. Yes. 16 Q. Is it your understanding that 17 your job responsibilities included ensuring that 18 all maintenance technicians were trained on the 19 most updated version of the operating 20 procedures? 21 A. I was not aware what any 22 operating procedures were yet. But certainly 23 that would fall under my responsibility, yes. 24 Q. Is it your understanding that</p>

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<p style="text-align: right;">Page 177</p> <p>1 your job responsibilities included monitoring 2 operation of plant equipment and systems? 3 A. I don't know exactly what they 4 mean there. Honestly I guess I'm not sure 5 exactly what that means. But I mean in general 6 awareness of the operation of what is going on 7 in the plant, plant equipment systems, sure. 8 Q. Is it your understanding that 9 your job responsibilities included reviewing the 10 operation of plant equipment and systems 11 constantly to minimize unplanned downtime, 12 anticipate and solve problems in a timely manner 13 and to identify opportunities for improvement? 14 A. Yes. 15 Q. Is it your understanding that 16 your job responsibilities include maintaining 17 and repairing maintenance shop equipment? 18 A. I was not personally maintaining 19 or repairing shop equipment, nor would I have 20 thought it would be part of the job. I mean 21 making sure that happens, yes. But me? No. 22 Q. So you were then responsible for 23 making sure that maintenance and repair and of 24 the maintenance shop equipment happened?</p>	<p style="text-align: right;">Page 179</p> <p>1 reports and analyzing data and making 2 recommendations for improving plant operations 3 and solving maintenance-related problems? 4 A. Yes. 5 Q. Is it your understanding that 6 your job responsibilities included ensuring that 7 maintenance technicians are adequately trained, 8 equipped and motivated so that the maintenance 9 program can be accomplished in a safe, timely 10 and cost-effective manner? 11 A. Yes. 12 Q. Is it your understanding that 13 your responsibilities included communicating 14 regularly with all maintenance technicians both 15 individually and as a group to ensure good 16 two-way communication concerning maintenance 17 issues? 18 A. Yes. 19 Q. Is it your understanding that 20 your job responsibilities consisted of assisting 21 with -- strike that. 22 Is it your understanding that 23 your job responsibilities included assisting 24 with hiring of maintenance personnel?</p>
<p style="text-align: right;">Page 178</p> <p>1 A. Yes. But I don't know how to fix 2 a lathe or a welder. You know so... 3 Q. To expedite this a bit there are 4 several other tasks that are listed as the 5 responsibilities here. If you wouldn't mind 6 taking a moment reading those and letting me 7 know of any of the other additional tasks listed 8 under these responsibilities if you do not agree 9 that they were encompassed in your job 10 responsibilities. 11 A. Okay. 12 Q. Actually strike that. Off the 13 record. 14 (Discussion held off the record.) 15 BY MS. FICARO 16 Q. Is it your understanding that 17 your job responsibilities included establishing 18 and maintaining a computerized maintenance 19 management system for tracking work orders, 20 spare parts and maintenance history of plant 21 equipment? 22 A. Yes. 23 Q. Is it your understanding that 24 your job responsibilities included providing</p>	<p style="text-align: right;">Page 180</p> <p>1 A. Yes. 2 Q. Is it your understanding that 3 your job responsibilities included initiating 4 and carrying out projects that improve 5 efficiency and/or reduce operating costs? 6 A. Yes. 7 Q. Is it your understanding that 8 your job responsibilities included tracking, 9 analyzing and improving key maintenance 10 parameters such as asset utilization, 11 maintenance cost, PM compliance and schedule 12 compliance? 13 A. Yes. 14 Q. Is it your understanding that 15 your job responsibilities included maintaining 16 safety, health and environment policies and 17 procedures? 18 A. Yes. 19 Q. Is it your understanding that 20 your job responsibilities included ensuring that 21 city, county and state and federal regulations 22 relating to the maintenance department were met 23 at all times? 24 A. Yes.</p>

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<p style="text-align: right;">Page 181</p> <p>1 Q. Is that your understanding that</p> <p>2 your job responsibilities included directing,</p> <p>3 maintaining and enforcing the safety program for</p> <p>4 the maintenance department and reviewing safety</p> <p>5 records to uphold standards of maximum safety</p> <p>6 for all maintenance technicians?</p> <p>7 A. Yes.</p> <p>8 Q. Is it your understanding that</p> <p>9 your job responsibilities included initiating,</p> <p>10 implementing and managing the plant maintenance</p> <p>11 program with an emphasis on planning, scheduling</p> <p>12 and preventative predictive maintenance?</p> <p>13 A. Yes.</p> <p>14 Q. Is it your understanding that</p> <p>15 your job responsibilities included monitoring</p> <p>16 the use and inventories of spare parts,</p> <p>17 maintenance supplies and equipment and</p> <p>18 initiating reordering when necessary?</p> <p>19 A. Yes.</p> <p>20 Q. The next section lists</p> <p>21 supervisory responsibilities. And it</p> <p>22 indicates -- it reads, Supervises maintenance</p> <p>23 technician on all shifts. Is it your</p> <p>24 understanding that your job responsibilities</p>	<p style="text-align: right;">Page 183</p> <p>1 accommodations may be made to enable individuals</p> <p>2 with disabilities to perform these essential</p> <p>3 functions. While performing the duties of this</p> <p>4 job the employees are regularly required to use</p> <p>5 hands to finger handle or feel and talk or hear.</p> <p>6 Employee required to stand and</p> <p>7 walk. Employee must regularly lift and/or move</p> <p>8 up to 10 pounds and occasionally lift and remove</p> <p>9 up to 25 pounds. Specific vision abilities</p> <p>10 required by this job include close vision,</p> <p>11 distance vision and ability to adjust focus.</p> <p>12 Is it your understanding that</p> <p>13 those were physical requirements of the</p> <p>14 maintenance manager position?</p> <p>15 A. Yes.</p> <p>16 Q. I will stop sharing. Gentlemen,</p> <p>17 can we take quick five-minute break?</p> <p>18 (Discussion held off the record.)</p> <p>19 BY MS. FICARO</p> <p>20 Q. Mr. Reynolds, did you receive any</p> <p>21 training when you started working at Willert?</p> <p>22 A. No. Not that I recall.</p> <p>23 Q. Did you spend any time with Jack</p> <p>24 Bonsky or anyone else at Willert, walking</p>
<p style="text-align: right;">Page 182</p> <p>1 included supervising maintenance technicians on</p> <p>2 all shifts?</p> <p>3 A. In regards to my staff worked on</p> <p>4 all shifts. And, yes, I made myself available</p> <p>5 across all three shifts. Clearly was not there</p> <p>6 all three shifts. I have to sleep sometime.</p> <p>7 But yes.</p> <p>8 Q. Scrolling further down the</p> <p>9 document there is a section called, Reasoning</p> <p>10 ability. And it indicates that the ability to</p> <p>11 solve practical problems and deal with a variety</p> <p>12 of concrete variable situations where only</p> <p>13 limited standardization exists, the ability to</p> <p>14 interpret a variety of instructions, furnish a</p> <p>15 written a oral diagram or scheduled form.</p> <p>16 Do you agree that you needed the</p> <p>17 ability to do those things in order to perform</p> <p>18 your job as a maintenance manager?</p> <p>19 A. Yes.</p> <p>20 Q. There is a physical demands</p> <p>21 section here. It says, The physical demands</p> <p>22 described are representative of those that must</p> <p>23 be met by an employee to successfully perform</p> <p>24 the essential functions of this job. Reasonable</p>	<p style="text-align: right;">Page 184</p> <p>1 through the plant, having them describe to you</p> <p>2 what happens, the processes of the plant, et</p> <p>3 cetera?</p> <p>4 A. I spent time with Jack Bonsky</p> <p>5 walking through the plant in terms of a daily</p> <p>6 walk-through. But he was just as new as me so</p> <p>7 we were learning together.</p> <p>8 Q. When you did your daily</p> <p>9 walk-throughs what types of topics did you</p> <p>10 discuss or things did you address during the</p> <p>11 daily walk-throughs?</p> <p>12 A. They were like customer service</p> <p>13 visits from the management to the employees like</p> <p>14 as if the employees were customers. So checking</p> <p>15 in with the line leads, the leaders on the floor</p> <p>16 to see what needs they had, if there were any</p> <p>17 issues, anything that the maintenance manager or</p> <p>18 the plant manager can address.</p> <p>19 Q. Did you wear personal protective</p> <p>20 equipment at Willert?</p> <p>21 A. Steel toes, safety -- yes.</p> <p>22 Q. Did you wear any -- what type of</p> <p>23 personal protective equipment did you wear at</p> <p>24 Willert?</p>

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<p style="text-align: right;">Page 185</p> <p>1 A. Steel toes and safety glasses and 2 I believe ear plugs were required as well. 3 Q. Why did you wear that personal 4 protective equipment? 5 A. The ear plugs were for the one 6 area was noisy. So the decibel rating required 7 it. And steel toes were required for the plant. 8 It's good practice in any manufacturing 9 environment to have steel toes on. 10 Q. At the time you worked at Willert 11 what type of machinery did they have there? 12 A. They had some injection molding 13 machines which make the plastic bottles that 14 they were also filling. And they had filling 15 machines to fill those bottles. And the tanks 16 we talked about. The bulk storage tanks that 17 held the water and chemical mixtures. 18 Q. How big were the bulk storage 19 tanks? 20 A. They were probably like 15,000 21 pound tanks like the size of -- 22 Q. How tall were they? Sorry. Like 23 the side of what? 24 A. Like a 15-passenger van. A 10-</p>	<p style="text-align: right;">Page 187</p> <p>1 A. No. They would have been drained 2 out for any maintenance. Can't maintain 3 anything that is full of chemicals. But I don't 4 know what any of those chemicals were. 5 Q. Were any of those storage 6 tanks -- was any maintenance necessary with 7 regard to any of those storage tanks during the 8 time you worked at Willert? 9 A. Yes. 10 Q. Do you recall any specific 11 maintenance that was performed on any storage 12 tanks while you were at Willert? 13 A. Yes. 14 Q. What maintenance was performed on 15 any storage tanks while you were at Willert? 16 A. The control system for one of 17 those tanks stopped working. So I brought in a 18 outside vendor that supported that kind of 19 equipment. And they repaired that and got it 20 working again. 21 Q. When you say control system, what 22 are you referring to? 23 A. The digital -- it's a PLC 24 controller. So it is a signal-level voltage</p>
<p style="text-align: right;">Page 186</p> <p>1 or 15-foot high, maybe six-foot across. 2 Q. Were there any storage tanks that 3 were 20 feet high? 4 A. I don't think so. I'm guessing 5 at 10 to 15-foot. I don't think any were 6 20-foot. 7 Q. What were those storage tanks 8 used for? 9 A. There was a -- they fed the 10 filler process. So that held the ingredients 11 that were going into the bottles and containers. 12 Q. What type of ingredients were 13 being held in those storage tanks? 14 A. I don't know. I didn't -- I was 15 not involved with the product mix or -- that 16 just was not part of my area. So I don't know 17 what they were put in that stuff. 18 Q. Were the storage tanks part of 19 the equipment that the maintenance team was to 20 maintain and repair when necessary? 21 A. Yes. 22 Q. Do you know what type of 23 chemicals were stored in any of those storage 24 tanks?</p>	<p style="text-align: right;">Page 188</p> <p>1 which is a real low level, like a 4 to 20 2 milliamp or a 12 volt DC signal that 3 coordinates -- like turns the pumps on, turns 4 the mixer on. So I forgot if they couldn't pump 5 out of the thing or couldn't mix. But one or 6 the other. There is not much that a tank does 7 other than get mixed or pumped. That guy came 8 in and got it working again. 9 Q. How did you know the control 10 system on the storage tank was not working? 11 A. I think essentially the button 12 did not work. 13 Q. I mean, how did you know? Did 14 you have to go look at it? 15 A. No. It was -- no. 16 Q. So how did you know that that was 17 not working? 18 A. I think one of the maintenance 19 technicians did a brief triage on it to see if 20 he could figure it out. Couldn't get there. 21 And so I brought in outside help to expedite the 22 process. 23 Q. Did you go and inspect it before 24 you brought in the outside help?</p>

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<p style="text-align: right;">Page 189</p> <p>1 A. No. There is not really much to 2 inspect with that. 3 Q. How did you know what outside 4 help to bring in? 5 A. Just experience I guess. What 6 you are supposed to know as a maintenance 7 manager is what to do when things break. 8 Q. Did you go near the storage tank 9 at all when it was not working? 10 A. I went to the area to the 11 employee. I was in the general area. 12 Q. How far away from the storage 13 tank were you when you did that? 14 A. I don't know. 10 feet, something 15 like that. 16 Q. Were there chemicals being stored 17 in the storage tank? 18 A. I don't know what was in there at 19 that time. 20 Q. Could it have been chemicals? 21 A. It could have been, yes. 22 Q. You said you were about 10 to 23 15 feet away from the storage tank when it had 24 to be repaired?</p>	<p style="text-align: right;">Page 191</p> <p>1 drive? 2 A. Not that I recall, no. 3 Q. Did you ever have to employ lock 4 out, tag out procedures while you were at 5 Willert? 6 A. No. 7 Q. Would implementing lock out, tag 8 out procedures be part of your job 9 responsibilities as a maintenance manager? 10 A. Like enforcing them? Or 11 personally locking something out? 12 Q. Let's talk about enforcing them. 13 Would that be part of your job responsibilities? 14 A. Yes. Ensuring that people follow 15 the practices and procedures, yes. 16 Q. Did you yourself ever have to 17 lock out any equipment at Willert? 18 A. No. 19 Q. If you had stayed there and 20 worked longer would it have been possible that 21 you would have needed to lock out equipment at 22 Willert? 23 A. No. I don't believe so. 24 Q. Under what circumstances would</p>
<p style="text-align: right;">Page 190</p> <p>1 A. Yes. 2 Q. Was it ultimately your 3 responsibility to make sure that that storage 4 tank was repaired and working again? 5 A. Yes. 6 Q. In terms of the control system 7 that you mentioned on that storage tank, how was 8 that control system powered? 9 A. I think those have a 120-volt 10 single phase power supply going to them. Like a 11 household voltage level. 12 Q. You said 120-volt? 13 A. I think so. 14 Q. Can 120-volts be dangerous to 15 you? 16 A. Potentially. 17 Q. Can it seriously injure you if 18 you came into contact with something that was 19 live and 120-volts? 20 A. It's possible, not typical. But 21 it's possible. 22 Q. In terms of your time at Willert 23 was there ever an occasion on which you and 24 Mr. Bonsky had worked together to repair a</p>	<p style="text-align: right;">Page 192</p> <p>1 somebody need to lock out equipment? 2 A. If they are working in a 3 situation where there is any unsecured energy 4 you got to bring the equipment to a zero energy 5 state. That can be gravity, compressed air, 6 steam. I don't think they had steam there. But 7 so any time you are changing the equipment 8 conditions, taking something apart, taking off 9 guards and going into something, before do you 10 that you have to lock it out and tag it out. So 11 that involves disassembling something, taking it 12 out of the original factory condition. 13 Q. If a machine was electronically 14 powered broke and needed to be repaired, would 15 it need to be locked out before repairs were 16 made on the machine? 17 A. Typically by the person 18 performing the repair typically. 19 Q. And typically the person 20 performing the repairs would need to report to 21 you, correct? 22 A. Yes. 23 Q. Other than the storage 24 containers, what other type of machinery was at</p>

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<p style="text-align: right;">Page 193</p> <p>1 Willert during the time that you worked there?</p> <p>2 A. Fillers. So equipment that put</p> <p>3 liquids into bottles or gels into containers.</p> <p>4 Air compressors and some vacuum pumps and</p> <p>5 injection molding machines which are plastic</p> <p>6 machines.</p> <p>7 Q. Did you oversee the maintenance</p> <p>8 of the fillers at Willert?</p> <p>9 A. Yes.</p> <p>10 Q. Did you oversee the maintenance</p> <p>11 of air compressors at Willert?</p> <p>12 A. Yes.</p> <p>13 Q. Did you oversee the repair of</p> <p>14 fillers at Willert?</p> <p>15 A. Yes.</p> <p>16 Q. Did you oversee the repair of air</p> <p>17 compressors at Willert?</p> <p>18 A. I don't think any broke while I</p> <p>19 was there. But I was working on a replacement</p> <p>20 for one. Yes, yes.</p> <p>21 Q. What replacement of an air</p> <p>22 compressor did you work on at Willert?</p> <p>23 A. There was one that was out of</p> <p>24 service that I was trying to see if we can get</p>	<p style="text-align: right;">Page 195</p> <p>1 maintenance manager it would have been your</p> <p>2 responsibility to ensure that it was repaired?</p> <p>3 A. Yes.</p> <p>4 Q. In terms of the fillers that you</p> <p>5 mentioned, what type of materials did the</p> <p>6 fillers literally inject into the bottles?</p> <p>7 A. They were liquids.</p> <p>8 Q. Were they chemicals?</p> <p>9 A. Ultimately these were like</p> <p>10 consumer household chemicals. So stuff that you</p> <p>11 can buy at the Dollar Tree or wherever. So it's</p> <p>12 chemicals, yes. It is going to consumer</p> <p>13 households. It is not going to -- you don't</p> <p>14 want to drink it. But other than that the risk</p> <p>15 factor is pretty low.</p> <p>16 Q. But they were chemicals?</p> <p>17 A. Sure. It was not sugar. You</p> <p>18 know? Some kind of chemical.</p> <p>19 Q. During the time that you worked</p> <p>20 at Willert, were you familiar with the</p> <p>21 electrical voltages that you might interact with</p> <p>22 there?</p> <p>23 A. Yes.</p> <p>24 Q. What voltage of --</p>
<p style="text-align: right;">Page 194</p> <p>1 an outside company to retrofit a piece to it</p> <p>2 rather than replace the whole thing. So try to</p> <p>3 make it a 5 to \$10,000 fix rather than a \$50,000</p> <p>4 replacement.</p> <p>5 Q. Did you have to inspect the</p> <p>6 machinery at all in order to figure out who to</p> <p>7 bring in to do that?</p> <p>8 A. A visual walk-around. I didn't</p> <p>9 have to take any guards off or anything. It was</p> <p>10 just getting the serial number and model number</p> <p>11 off of it and taking some pictures.</p> <p>12 Q. When you did the visual</p> <p>13 walk-around how close to the air compressor did</p> <p>14 you walk around?</p> <p>15 A. I mean, close enough to -- 1 to 2</p> <p>16 feet away from the air compressor, close enough</p> <p>17 to take pictures. All the guarding was in</p> <p>18 place.</p> <p>19 Q. Was that air compressor</p> <p>20 ultimately repaired while you were there?</p> <p>21 A. No. I was still in the process</p> <p>22 of getting quotes for it.</p> <p>23 Q. If it had been repaired while you</p> <p>24 were there, was it your understanding as a</p>	<p style="text-align: right;">Page 196</p> <p>1 A. Wait. That I personally</p> <p>2 interacted with? I should rephrase that answer.</p> <p>3 I was not personally interacting with any</p> <p>4 voltages. So I think I misheard that I guess.</p> <p>5 Q. I believe you mentioned that the</p> <p>6 storage tanks were electrically powered. What</p> <p>7 voltage of electricity, if you know, powered</p> <p>8 those storage tanks?</p> <p>9 A. There is a mixer on top and a</p> <p>10 pump underneath. And those were likely to be 3</p> <p>11 phase 480.</p> <p>12 Q. How about the fillers, were they</p> <p>13 electronically powered?</p> <p>14 A. Yes, they were.</p> <p>15 Q. Do you know what voltage of</p> <p>16 electricity powered those fillers?</p> <p>17 A. They were likely a 480</p> <p>18 distribution into the main panel. And then it</p> <p>19 can be stepped down from there. Some equipment</p> <p>20 needs smaller voltages. So it's distributed</p> <p>21 from the local panel at the machine.</p> <p>22 Q. How about the air compressor,</p> <p>23 what voltage of electricity powered the air</p> <p>24 compressors?</p>

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<p style="text-align: right;">Page 197</p> <p>1 A. Those are 480.</p> <p>2 Q. Can 480 volts of electricity</p> <p>3 injure someone?</p> <p>4 A. Yes.</p> <p>5 Q. Can 480 volts of electricity kill</p> <p>6 someone?</p> <p>7 A. Yes.</p> <p>8 Q. You mentioned, for example, there</p> <p>9 was I believe it was over the storage tank you</p> <p>10 indicated there was a mixer on top and a pump on</p> <p>11 the bottom; is that correct?</p> <p>12 A. Yes.</p> <p>13 Q. So theoretically if a mixer broke</p> <p>14 on top of the storage mixer, would the repair of</p> <p>15 that mixer fall under your duties as maintenance</p> <p>16 manager at Willert?</p> <p>17 A. It would fall under my</p> <p>18 responsibilities, not my personal duty. If</p> <p>19 duty -- does duty mean that I'm doing it? Or</p> <p>20 does duty mean my department?</p> <p>21 Q. Are you ultimately as the</p> <p>22 maintenance manager responsible for ensuring</p> <p>23 that, for example, a broken mixer on top of the</p> <p>24 storage tank would be repaired?</p>	<p style="text-align: right;">Page 199</p> <p>1 horsepower of the motor. And I believe they</p> <p>2 were I think 50-horsepower and a 75-horsepower.</p> <p>3 Q. Are you able to tell me in terms</p> <p>4 of how high those air compressors were how tall</p> <p>5 or high they were?</p> <p>6 A. They were like the size of a</p> <p>7 Volkswagen Beetle, the old '70s ones. So like 8</p> <p>8 feet by 4 feet by 4 feet, something like that.</p> <p>9 Q. How about the filler, how big</p> <p>10 were the fillers?</p> <p>11 A. They are a long sequence of</p> <p>12 machines kind of lined up together. So those</p> <p>13 are -- the overall line, they were probably like</p> <p>14 50 to 75 feet long. But they are low and fairly</p> <p>15 skinny. Maybe 3 or 4 feet off the ground. They</p> <p>16 are stationed so that operators can stand there</p> <p>17 and pull bottles off lines. 4 feet high, you</p> <p>18 know, 4 or 5 feet wide depending on where it is</p> <p>19 on the filler.</p> <p>20 (Exhibit 7 was marked for</p> <p>21 identification.)</p> <p>22 BY MS. FICARO</p> <p>23 Q. Let me pull up a document</p> <p>24 quickly. I will share my screen again with you.</p>
<p style="text-align: right;">Page 198</p> <p>1 A. Responsible for getting it</p> <p>2 repaired, yes.</p> <p>3 Q. How about the pump on the bottom</p> <p>4 of the storage tank, if a pump was broken on the</p> <p>5 bottom of one of those storage tanks would it be</p> <p>6 your responsibility as the maintenance manager</p> <p>7 to ensure that the pump was repaired?</p> <p>8 A. Yes.</p> <p>9 Q. Would it be your responsibility</p> <p>10 as the maintenance manager to ensure that the</p> <p>11 mixer on top and the pump on the bottom are</p> <p>12 properly maintained?</p> <p>13 A. Yes.</p> <p>14 Q. How about with regard to the</p> <p>15 fillers, your job as a maintenance manager</p> <p>16 responsibilities included ensuring the</p> <p>17 maintenance and repair of the fillers, correct?</p> <p>18 A. Yes.</p> <p>19 Q. Did your job responsibilities as</p> <p>20 maintenance manager also include ensuring the</p> <p>21 maintenance and repair of air compressors?</p> <p>22 A. Yes.</p> <p>23 Q. How big were the air compressors?</p> <p>24 A. Those are typically measured in</p>	<p style="text-align: right;">Page 200</p> <p>1 With the document that I will ask please be</p> <p>2 marked as Reynolds 7. And I will scroll so you</p> <p>3 can see the whole document here. It is a</p> <p>4 one-page document. And I will represent to you</p> <p>5 it's a document produced by your attorney in</p> <p>6 this matter. And at the top it says, No. 3,</p> <p>7 performance. Do you see that there?</p> <p>8 A. Yes.</p> <p>9 Q. Do you recognize that document?</p> <p>10 A. Yes.</p> <p>11 Q. Who created this document?</p> <p>12 A. I believe I provided the data on</p> <p>13 there.</p> <p>14 Q. Did you literally type the</p> <p>15 document or did somebody else do that?</p> <p>16 A. That looked like the one I typed.</p> <p>17 Q. What is this list? What is this</p> <p>18 list supposed to be describing?</p> <p>19 A. These were accomplishments or</p> <p>20 things that I had gotten done while I was there</p> <p>21 during my tenure at Willert.</p> <p>22 Q. So the first thing is 10/19/20.</p> <p>23 Expedited parts for surprise one-day turnaround</p> <p>24 on a machine expected by staff to be down days</p>

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<p style="text-align: right;">Page 201</p> <p>1 or weeks. What machine was that?</p> <p>2 A. They called it the bottle</p> <p>3 scrambler.</p> <p>4 Q. What was the bottle scrambler?</p> <p>5 A. It was they would dump a bunch --</p> <p>6 hundreds of bottle into this thing. And it</p> <p>7 would spin them around and send them out in a</p> <p>8 single file line.</p> <p>9 Q. How big was that machine?</p> <p>10 A. Let's say 8-foot wide by 8-foot</p> <p>11 long by 10-foot high, something like that.</p> <p>12 Q. How was that machine powered?</p> <p>13 A. It was probably 480, 3 phase.</p> <p>14 Q. Electricity?</p> <p>15 A. Yes.</p> <p>16 Q. What did you have to do in order</p> <p>17 to expedite the parts?</p> <p>18 A. My part was sourcing the motor,</p> <p>19 finding it. I got it through motion so making</p> <p>20 phone calls, ordering.</p> <p>21 Q. Did you look at the motor so you</p> <p>22 knew what parts to be ordered?</p> <p>23 A. Yes. I would have taken it off</p> <p>24 the machine. It was pretty small, like the size</p>	<p style="text-align: right;">Page 203</p> <p>1 that. So a threshold instead of a loose hose on</p> <p>2 the ground blocking a exit.</p> <p>3 Q. Where is the hose?</p> <p>4 A. Oh, trip hazard. That is what</p> <p>5 that is. That trip hazard was a garden hose.</p> <p>6 Q. What was the machine guarding</p> <p>7 issue Ty-D-Bowl line?</p> <p>8 A. So I had dug through some old</p> <p>9 safety committee notes. And I found a concern</p> <p>10 that was brought up an operator six months prior</p> <p>11 and it had never been addressed. And I went out</p> <p>12 and talked to the operator. And she had a valid</p> <p>13 safety concern where there was no guard on this</p> <p>14 line. There was pinch points all over the</p> <p>15 place. Anybody can have walked up and reached</p> <p>16 in there and suffered a amputation. There was</p> <p>17 no guarding which is required by OSHA. So I got</p> <p>18 that on the priority list. And it was something</p> <p>19 that was actively being addressed when I parted</p> <p>20 ways with Willert.</p> <p>21 Q. What type of machine was it that</p> <p>22 there was a guarding issue for?</p> <p>23 A. That was filler that put the blue</p> <p>24 stuff in the Ty-D-Bowl bottles.</p>
<p style="text-align: right;">Page 202</p> <p>1 of a foot-long sub. So I was able to look at it</p> <p>2 and get the part numbers off it.</p> <p>3 Q. How about safety issues</p> <p>4 identified or addressed? See first request for</p> <p>5 Production of Documents -- sorry.</p> <p>6 It says, See First Request for</p> <p>7 Production -- FRP. Then it is bullet points</p> <p>8 trip hazard, unsecured gas bottles were blocking</p> <p>9 fire extinguisher, bench grinder gap, machine</p> <p>10 guarding issue, Ty-D-Bowl line. Explain what</p> <p>11 this means to me and what each of things are.</p> <p>12 A. So the bench grind gap and the</p> <p>13 blocked fire extinguisher and unsecured gas</p> <p>14 cylinder, those are all OSHA violations. And in</p> <p>15 my experience OSHA has a minimum charge of</p> <p>16 \$6,000 per violation. So I identified those and</p> <p>17 either had somebody correct them or corrected</p> <p>18 them myself. And the bottles -- it is simple</p> <p>19 tasks. But OSHA doesn't care. A violation is a</p> <p>20 violation.</p> <p>21 The hose that was -- they had a</p> <p>22 garden hose just laying on the floor across in</p> <p>23 front of a emergency exit doorway. So I had a</p> <p>24 guy make up a plate to cover that and secure</p>	<p style="text-align: right;">Page 204</p> <p>1 Q. How did you realize that there</p> <p>2 was a guarding issue?</p> <p>3 A. Finding the documentation, the</p> <p>4 employee concern.</p> <p>5 Q. How did you notice there was a</p> <p>6 lack of guard there in the first place? Did you</p> <p>7 see it and did it appear as though a guard was</p> <p>8 missing?</p> <p>9 A. I had not noticed that specific</p> <p>10 area yet myself personally. So my part in it</p> <p>11 was being thorough and digging through the</p> <p>12 six-month old documentation and reading up on</p> <p>13 safety committee notes. And then once I found</p> <p>14 that that somebody else identified it I had to</p> <p>15 go out and ask her where it was at. And she</p> <p>16 showed me.</p> <p>17 Q. Then did you look at it?</p> <p>18 A. Yes.</p> <p>19 Q. Did you have to climb on anything</p> <p>20 or how close did you have to get to it?</p> <p>21 A. No. It was readily apparent once</p> <p>22 it was pointed out. Didn't have to do anything</p> <p>23 remarkable to see it.</p> <p>24 Q. Was there a specific shift that</p>

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<p style="text-align: right;">Page 205</p> <p>1 you worked at Willert?</p> <p>2 A. No.</p> <p>3 Q. How many shifts were there at</p> <p>4 Willert?</p> <p>5 A. Three.</p> <p>6 Q. Was there a typical shift that</p> <p>7 you were more often there during than others?</p> <p>8 A. I made it a point to try to be</p> <p>9 available to all three shifts. But the bulk of</p> <p>10 my hours were during day shift. I think 7:00 to</p> <p>11 3:00 there.</p> <p>12 Q. Further down in this list it</p> <p>13 says, Production support provided on second</p> <p>14 shift as needed. Underneath that it says,</p> <p>15 Initiated the upgrade of an obsolete AC/DC</p> <p>16 rectifier inverter to a modern drive unit.</p> <p>17 What machinery were you dealing</p> <p>18 with in that instance?</p> <p>19 A. That was one of the plastic</p> <p>20 injection molding machines.</p> <p>21 Q. And what did you have to do in</p> <p>22 order to initiate the upgrade of that machine?</p> <p>23 A. Contact a outside vendor with the</p> <p>24 skills and experience to be able to perform that</p>	<p style="text-align: right;">Page 207</p> <p>1 caving in. That is what I called in sick the</p> <p>2 next day.</p> <p>3 But I had the part in my car. I</p> <p>4 had gotten fixed the day before. And I knew</p> <p>5 they needed it. So I drug myself out of bed on</p> <p>6 the 4th which was the only day I called in.</p> <p>7 That was the only day I called in sick. But I</p> <p>8 got myself out of bed and I drove up there and I</p> <p>9 dropped that part off because I knew they needed</p> <p>10 it. So I took it in.</p> <p>11 Q. Was there a typical time of day</p> <p>12 that Jack Bonsky would arrive at work usually?</p> <p>13 A. Yes. He was clockwork. I think</p> <p>14 he there between 6:30 and 7:00 every day.</p> <p>15 Q. Did they expect you to be there</p> <p>16 around that same time?</p> <p>17 A. No. At least that's what had</p> <p>18 been communicated to me by Jack. He was my</p> <p>19 direct supervisor.</p> <p>20 Q. So this list then, what we are</p> <p>21 looking at on this document, these are all tasks</p> <p>22 that you performed while you worked at Willert?</p> <p>23 A. Performed, coordinated, got done.</p> <p>24 Sure, yes.</p>
<p style="text-align: right;">Page 206</p> <p>1 task.</p> <p>2 Q. Halfway down the page it says,</p> <p>3 Hand delivered same mix tank spare part. Time</p> <p>4 2:18, 11/4/20. Which was a sick day caused by</p> <p>5 panic attack which onset after a November 3,</p> <p>6 2020 phone conversation with medical review</p> <p>7 officer in regards to drug test results.</p> <p>8 Do you see that there?</p> <p>9 A. Yes.</p> <p>10 Q. Why did you have a panic attack</p> <p>11 after reading -- or with regard to the drug test</p> <p>12 results?</p> <p>13 A. Well, that changed my whole</p> <p>14 worldview. Up to that point I had been living</p> <p>15 under the assumption that I had privacy and</p> <p>16 protection in this. So just like if you are</p> <p>17 prescribed a painkiller or Adderall and you</p> <p>18 disclose that to a medical review officer they</p> <p>19 report a past to the company and you have</p> <p>20 privacy. The company has no idea you are on</p> <p>21 prescriptions. So that is what I thought was</p> <p>22 going to happen with this. And when he told me</p> <p>23 it was a fail I immediately knew I was going to</p> <p>24 get fired. And it is like everything started</p>	<p style="text-align: right;">Page 208</p> <p>1 (Exhibit 8 was marked for</p> <p>2 identification.)</p> <p>3 BY MS. FICARO</p> <p>4 Q. I will show you another document</p> <p>5 quickly. Mr. Reynolds, you mentioned your drug</p> <p>6 screen. That's come up a few times during this</p> <p>7 deposition. I will show you a document now and</p> <p>8 ask that it be marked as Reynolds 8. I will</p> <p>9 show you that. I will scroll done here. There</p> <p>10 is a Bates Willert 0046. Do you see that there?</p> <p>11 A. Yes.</p> <p>12 Q. At the time top it says,</p> <p>13 Occupational Health Pottstown Hospital, Tower</p> <p>14 Health. And then it says, Drug screen results</p> <p>15 letter. So it was to Dave Furno, Ed Kinnet,</p> <p>16 Willert Manufacturing Company. Then it has your</p> <p>17 name here, Matthew D. Reynolds. Do you see that</p> <p>18 there?</p> <p>19 A. Yes.</p> <p>20 Q. Then it's had your patient ID.</p> <p>21 And the collection date and time of October 28,</p> <p>22 2020. Have you ever seen this document before?</p> <p>23 A. Yes.</p> <p>24 Q. When did you first see that</p>

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<p style="text-align: right;">Page 209</p> <p>1 document?</p> <p>2 A. That is a good question. I</p> <p>3 believe that was provided to me was my</p> <p>4 termination letter. But I'm not sure.</p> <p>5 Q. The document that we just looked</p> <p>6 at it says that you learned about the drug test</p> <p>7 results on November 3, 2020. How did you learn</p> <p>8 about those results?</p> <p>9 A. The medical review officer called</p> <p>10 me.</p> <p>11 Q. What did the medical review</p> <p>12 officer tell you when he called you?</p> <p>13 A. He indicated that I tested</p> <p>14 positive for THC and was looking for my comments</p> <p>15 on that.</p> <p>16 Q. What did he ask you?</p> <p>17 A. I don't remember his specific</p> <p>18 question. But he was looking for my feedback</p> <p>19 about it.</p> <p>20 Q. Did he explain what he meant when</p> <p>21 he said he was looking for your feedback or why</p> <p>22 he wanted your feedback?</p> <p>23 A. I don't remember.</p> <p>24 Q. What did you tell him during that</p>	<p style="text-align: right;">Page 211</p> <p>1 Q. Did he explain anything further</p> <p>2 about what he meant by that?</p> <p>3 A. Not that I remember. And I</p> <p>4 certainly -- I don't want to say protested. But</p> <p>5 I can't think of another word. I said I thought</p> <p>6 I had protection of privacy with this. I</p> <p>7 have -- I'm a patient. And he was not budging</p> <p>8 on his position.</p> <p>9 Q. Before you spoke to the medical</p> <p>10 review officer, was there a different person who</p> <p>11 actually performed the collection from you?</p> <p>12 A. Yes.</p> <p>13 Q. Who was that person?</p> <p>14 A. I don't remember. I don't recall</p> <p>15 her name. But it was one of the RNs or service</p> <p>16 provider there at Pottstown, whatever that's</p> <p>17 called.</p> <p>18 Q. On these drug screen results it</p> <p>19 identifies the collector at Michelle Bradley,</p> <p>20 RT. Does that refresh your recollection as to</p> <p>21 who may have collected it from you?</p> <p>22 A. Yes. That's sounds right.</p> <p>23 Q. Where did you actually have the</p> <p>24 drug screen taken?</p>
<p style="text-align: right;">Page 210</p> <p>1 call?</p> <p>2 A. I told him I was a medical</p> <p>3 marijuana patient and I had a card for that.</p> <p>4 And that that was the reason for the results on</p> <p>5 the test.</p> <p>6 Q. Before that time had you ever</p> <p>7 spoken to the medical review officer before?</p> <p>8 A. Not the medical review officer.</p> <p>9 They are not present at the drug test.</p> <p>10 Q. So let me try this again. Then I</p> <p>11 will share the screen. Are you able to see the</p> <p>12 document again?</p> <p>13 A. Yes.</p> <p>14 Q. So that call on November 3rd from</p> <p>15 the medical review officer was the first time</p> <p>16 you spoke to the medical review officer; is that</p> <p>17 correct?</p> <p>18 A. Yes.</p> <p>19 Q. When you told him you were a</p> <p>20 medical marijuana patient, what did the medical</p> <p>21 review officer say?</p> <p>22 A. To paraphrase. But it was</p> <p>23 essentially we don't really care. We go by the</p> <p>24 federal law. We will report a fail.</p>	<p style="text-align: right;">Page 212</p> <p>1 A. It was I think the address on the</p> <p>2 letter is the right place. I just Googled up</p> <p>3 the address and went there. So whatever I was</p> <p>4 directed to go to.</p> <p>5 Q. At the top it says, Occupational</p> <p>6 Health Pottstown Hospital. Tower Health. 81</p> <p>7 Robinson Street, Pottstown, PA. Do you believe</p> <p>8 that is where you had the test done?</p> <p>9 A. It was not a hospital. It was</p> <p>10 one of those clinics. So I don't know if the</p> <p>11 header means that clinic was part of the</p> <p>12 network. I didn't go to a hospital.</p> <p>13 Q. Did you tell the person who</p> <p>14 performed your drug screen that you were a</p> <p>15 medical marijuana patient?</p> <p>16 A. Yes. I got out my card. Said,</p> <p>17 hey, this is probably going to show up. Do you</p> <p>18 guys need to know this?</p> <p>19 Q. What did that person say to you</p> <p>20 when you told her that?</p> <p>21 A. She said, oh, no, no problem.</p> <p>22 Just if you have any questions I will give you a</p> <p>23 call. Okay?</p> <p>24 Q. Did you know whether it was noted</p>

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<p style="text-align: right;">Page 213</p> <p>1 anywhere by the person who collected it whether</p> <p>2 or not you were a medical marijuana patient?</p> <p>3 A. I don't know.</p> <p>4 Q. Do you know if the person who</p> <p>5 performed that collection ever told anyone from</p> <p>6 Willert that you were a medical marijuana</p> <p>7 patient?</p> <p>8 A. I don't know.</p> <p>9 Q. On the form here it identifies a</p> <p>10 gentleman Joseph Albert, DO. Do you recognize</p> <p>11 that name?</p> <p>12 A. I don't recognize it just because</p> <p>13 I am bad with names. But I wouldn't disagree</p> <p>14 either.</p> <p>15 Q. Disagree meaning that that was</p> <p>16 the medical review officer who contacted you?</p> <p>17 A. It is likely the right name.</p> <p>18 Q. Do you know if Dr. Albert told</p> <p>19 anyone from Willert that you had communicated to</p> <p>20 him you are a medical marijuana patient?</p> <p>21 A. I can't say with certainty that</p> <p>22 he did. I don't believe he did.</p> <p>23 Q. Did you at any time before you</p> <p>24 took the drug screen, the preemployment drug</p>	<p style="text-align: right;">Page 215</p> <p>1 Q. Can you see the drug screen</p> <p>2 results?</p> <p>3 A. No. I'm looking at all of you</p> <p>4 right now.</p> <p>5 Q. During the period of time that</p> <p>6 you worked at Willert, and I believe you</p> <p>7 previously testified that typically you take</p> <p>8 medical marijuana about 5:00 or 6:00 at night;</p> <p>9 is that correct?</p> <p>10 A. Yes.</p> <p>11 Q. And during the time you worked at</p> <p>12 Willert you were using medical marijuana five to</p> <p>13 seven days per week, correct?</p> <p>14 A. So I will say no. The five to</p> <p>15 seven was more during the time of unemployment</p> <p>16 when anxiety was through the roof. Once I had a</p> <p>17 job life started to normalize a little bit. So</p> <p>18 it was -- I didn't need it as much. Maybe two</p> <p>19 days a week if it was a really wild day at work</p> <p>20 or something.</p> <p>21 Q. During the time that you worked</p> <p>22 at Willert then you estimate that you used</p> <p>23 medical marijuana approximately twice a week?</p> <p>24 A. Yes.</p>
<p style="text-align: right;">Page 214</p> <p>1 screen, did you at any time tell anyone from</p> <p>2 Willert you were a medical marijuana patient?</p> <p>3 A. No.</p> <p>4 Q. Before you took the preemployment</p> <p>5 drug screen did you ever use medical marijuana</p> <p>6 during work hours?</p> <p>7 A. No.</p> <p>8 Q. During the time you worked at</p> <p>9 Willert what type of day did you typically use</p> <p>10 medical marijuana?</p> <p>11 A. What type of day?</p> <p>12 Q. Let me rephrase. During the time</p> <p>13 you worked a Willert typically what time of day</p> <p>14 did you use medical marijuana?</p> <p>15 MR. AUERBACH: Objection, asked</p> <p>16 and answered. I believe you said</p> <p>17 5 o'clock.</p> <p>18 BY MS. FICARO</p> <p>19 Q. I am just clarifying whether that</p> <p>20 pertained to the time that he worked at Willert</p> <p>21 as well?</p> <p>22 A. Your screen is still up there.</p> <p>23 Q. Sorry.</p> <p>24 A. Yeah. 5:00.</p>	<p style="text-align: right;">Page 216</p> <p>1 Q. And you mentioned that you used</p> <p>2 it if there was a particularly crazy day at</p> <p>3 work?</p> <p>4 A. Sure.</p> <p>5 Q. Would there be any other things</p> <p>6 that would prompt you to use medical marijuana?</p> <p>7 A. I can't think of any specific</p> <p>8 examples existential of anxiety.</p> <p>9 Q. Did you experience any</p> <p>10 existential anxiety during the period of time</p> <p>11 that you worked at Willert?</p> <p>12 A. Some.</p> <p>13 Q. On those occasions when you did,</p> <p>14 did you use medical marijuana?</p> <p>15 A. If it is after work hours. So</p> <p>16 you asked me a yes or no or question. I'm</p> <p>17 rambling. Sorry. So yes.</p> <p>18 Q. Take a look at the drug screen</p> <p>19 results letter again. If you look at the bolded</p> <p>20 part of the letter midway down it says</p> <p>21 D-THC-marijuana metabolite 50\15-positive. Do</p> <p>22 you see that there?</p> <p>23 A. Yes.</p> <p>24 Q. Is it your understanding that</p>

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<p style="text-align: right;">Page 217</p> <p>1 that indicates that those drug screen results</p> <p>2 indicates that those drug screen results</p> <p>3 indicated that you tested positive for</p> <p>4 D-THC-marijuana metabolite 50\15?</p> <p>5 A. Yes. I can't tell you what all</p> <p>6 that means, but yes.</p> <p>7 Q. I will stop that share here.</p> <p>8 What happened then after you got the drug screen</p> <p>9 results?</p> <p>10 A. So you mean the call with the</p> <p>11 medical review officer?</p> <p>12 Q. Yes.</p> <p>13 A. When I heard results from him?</p> <p>14 Q. Yes.</p> <p>15 A. I was at work. So I finished the</p> <p>16 day at work. But inside my world was starting</p> <p>17 to crumble. It was bad.</p> <p>18 Q. At that time when you heard about</p> <p>19 the results, did you tell Mr. Willert,</p> <p>20 Mr. Bonsky or anyone else at Willert that you</p> <p>21 were a medical marijuana patient?</p> <p>22 A. No. Not at that time.</p> <p>23 Q. It's my understanding that you</p> <p>24 were eventually terminated from your employment</p>	<p style="text-align: right;">Page 219</p> <p>1 you?</p> <p>2 A. Yeah. I told him I didn't</p> <p>3 understand why that was happening because I had</p> <p>4 a card, a patient card. I was a medical</p> <p>5 marijuana patient. And he kind of shifted</p> <p>6 gears. He was like, oh, you have a medical</p> <p>7 card. I said yeah. Oh, okay. Well, hang</p> <p>8 tight. Take the day off and I will get back to</p> <p>9 you.</p> <p>10 So for a short period of time I</p> <p>11 thought maybe things would be all right. Then I</p> <p>12 got voice mail from him because my phone died.</p> <p>13 And I missed the call. But I got a voice mail</p> <p>14 saying, yes, indeed you are terminated.</p> <p>15 Q. Before Mr. Bonsky read that</p> <p>16 termination letter to you, did you ever tell</p> <p>17 Mr. Bonsky that you were a medical marijuana</p> <p>18 patient?</p> <p>19 A. No.</p> <p>20 Q. Before Mr. Bonsky read the</p> <p>21 termination letter to you, did you ever tell</p> <p>22 Mr. Willert that were a medical marijuana</p> <p>23 patient?</p> <p>24 A. No.</p>
<p style="text-align: right;">Page 218</p> <p>1 at Willert; is that correct?</p> <p>2 A. Yes.</p> <p>3 Q. On what day were you terminated?</p> <p>4 A. November 5.</p> <p>5 Q. How did you find out that you</p> <p>6 were being terminated?</p> <p>7 A. Phone call.</p> <p>8 Q. Who was the phone call with?</p> <p>9 A. Ed Kennet and Jack Bonsky.</p> <p>10 Q. Who is Ed Kennet?</p> <p>11 A. He was another salaried</p> <p>12 individual. I think he was like the accounting</p> <p>13 guy slash IT guy, plant controller.</p> <p>14 Q. What did they tell you during</p> <p>15 that call?</p> <p>16 A. Jack did the talking. Ed was</p> <p>17 just there as a witness. Typically on</p> <p>18 termination you have a witness. So Jack said,</p> <p>19 hey, Matt, this is not going to be a pleasant</p> <p>20 call. And then he read contents of a</p> <p>21 termination letter which I later received from</p> <p>22 them.</p> <p>23 Q. Did he say anything else to you</p> <p>24 other than reading the termination letter to</p>	<p style="text-align: right;">Page 220</p> <p>1 Q. Before the termination letter was</p> <p>2 read to you, did anyone from Willert know that</p> <p>3 you were a medical marijuana patient?</p> <p>4 A. No.</p> <p>5 Q. After the termination letter was</p> <p>6 read to you, did you offer to show Mr. Bonsky</p> <p>7 your medical marijuana license?</p> <p>8 A. I told him I had one. But I</p> <p>9 guess I didn't specifically spell it out to show</p> <p>10 him because I was not there in person.</p> <p>11 Q. Did you ever offer or agree to</p> <p>12 show anyone from Willert your medical marijuana</p> <p>13 license?</p> <p>14 A. I would have agreed to had they</p> <p>15 asked. But, no, I didn't offer to show it to</p> <p>16 anybody there.</p> <p>17 Q. On October 28, 2020 at the time</p> <p>18 you took the drug careen, did you have any</p> <p>19 intention at that time of stopping using medical</p> <p>20 marijuana -- strike that.</p> <p>21 At the time of your October 28,</p> <p>22 2020 drug screen did you intend to stop using</p> <p>23 medical marijuana?</p> <p>24 A. Yes.</p>

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<p style="text-align: right;">Page 221</p> <p>1 Q. When did you plan to stop using 2 medical marijuana? 3 A. Pretty much immediately. It was 4 kind of a triage to get me through unemployment. 5 Q. Did you tell anyone at Willert 6 that you were not going use medical marijuana 7 anymore? 8 A. Via voice mail, yes. 9 Q. At the time that you took that 10 drug screen on October 28, 2020, had you 11 discussed or consulted with a doctor about 12 stopping use of medical marijuana? 13 A. No. 14 Q. At the time that you took that 15 drug screen on October 28, 2020 did you still 16 have anxiety? 17 A. Yes. 18 Q. Has anyone since October 28, 2020 19 told you that your anxiety is cured or done? 20 Can you hear us? 21 Have you told anyone since 22 October 28, 2020 that your ankle -- had any 23 doctor since October 28, 2020 told you that your 24 anxiety is cured or finished?</p>	<p style="text-align: right;">Page 223</p> <p>1 A. Looking for help. I was in a bad 2 way. Just looking for help. 3 Q. Were you eventually discharged 4 from that program? 5 A. Yes. I completed the last 6 session here a week or two ago. 7 Q. At the time of your discharge 8 were you told that you did not need to return to 9 any additional therapy? 10 A. Correct. Yes. 11 Q. Did you continue to participate 12 in that program even after you began your new 13 job at Georgia Pacific? 14 A. Yes. 15 Q. Why? 16 A. Once I start something I will 17 finish it. There was a couple sessions left. 18 And I already scheduled it so I finished them. 19 Q. After you left Willert did you 20 try to find new employment? 21 A. Yes. 22 Q. What did you do to find new 23 employment? 24 A. Answered phones when recruiters</p>
<p style="text-align: right;">Page 222</p> <p>1 A. No. Improved, yes. I have 2 gotten feedback it improved but not ever cured. 3 Q. After you were terminated from 4 Willert, did you undergo any mental health 5 treatment programs other than treatment that you 6 already testified to? 7 A. Yes. 8 Q. What program did you undergo? 9 A. Sought therapy at Sheppard Pratt 10 down in Baltimore. 11 Q. In order to do that did you have 12 to stay overnight there? 13 A. No. 14 Q. What did that program entail? 15 A. Three months of therapy. 16 Q. What type of therapy did you 17 undergo? 18 A. I don't know the name for it. 19 But counseling, I guess. 20 Q. How did you come to participate 21 in that program at Sheppard Pratt? 22 A. I found it online. 23 Q. Is there a reason why you were 24 looking online for a program at that time?</p>	<p style="text-align: right;">Page 224</p> <p>1 called me. And I applied for a couple jobs but 2 it was mostly talking to a recruiter. 3 Q. How many recruiters did you speak 4 to? 5 A. Three or four. 6 Q. Did you speak to any of the 7 recruiters who helped you get any of your 8 previous jobs? 9 A. Yes. I did. 10 Q. Did you communicate with those 11 recruiters in writing at all? 12 A. Most likely. 13 Q. When you communicated with them 14 in writing was that done via email? 15 A. Email and text. 16 Q. Do you have copies of any of your 17 text messages that you exchanged with 18 recruiters? 19 A. I have not looked. It depends on 20 retention policy on my phone. I don't know. 21 Q. I would ask if you do to take 22 steps now to preserve those text messages. Do 23 you have copies of any items you exchanged with 24 recruiters?</p>

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<p style="text-align: right;">Page 225</p> <p>1 A. Likely.</p> <p>2 Q. I will ask you provide a copy of</p> <p>3 those emails to your attorney as we will be</p> <p>4 requesting those.</p> <p>5 MR. AUERBACH: Send a letter.</p> <p>6 BY MS. FICARO</p> <p>7 Q. How many jobs did you say you</p> <p>8 applied for after you left Willert?</p> <p>9 A. I don't know. At least four for</p> <p>10 sure. I don't want to overstate it. But I</p> <p>11 don't want to understate it either.</p> <p>12 Q. When you applied for those jobs</p> <p>13 did you submit applications?</p> <p>14 A. For some of them. But not all of</p> <p>15 them.</p> <p>16 Q. When you submitted the</p> <p>17 applications did you submit hard copies of</p> <p>18 applications or did you submit them</p> <p>19 electronically?</p> <p>20 A. All electronic, if I remember.</p> <p>21 Q. Do you have any records or</p> <p>22 documentation of any of those applications that</p> <p>23 you submitted electronically?</p> <p>24 A. It's unlikely. It's unlikely.</p>	<p style="text-align: right;">Page 227</p> <p>1 Q. How many interviews did you have?</p> <p>2 A. I remember three.</p> <p>3 Q. Which companies did you have</p> <p>4 interviews?</p> <p>5 A. Johnson & Johnson, LCBC, Kunzler.</p> <p>6 Q. Were you offered jobs at any of</p> <p>7 those companies?</p> <p>8 A. No.</p> <p>9 Q. Do you know why you were not</p> <p>10 offered jobs at any of those companies?</p> <p>11 A. No.</p> <p>12 Q. Did you receive any job offers</p> <p>13 from the time you were terminated from Willert</p> <p>14 until the time you began working for Georgia</p> <p>15 Pacific?</p> <p>16 A. No.</p> <p>17 Q. Do you have a Facebook account?</p> <p>18 A. No.</p> <p>19 Q. Do you have a Twitter handle?</p> <p>20 A. No.</p> <p>21 Q. Do you engage in any type of</p> <p>22 social media?</p> <p>23 A. No.</p> <p>24 Q. Do you have a LinkedIn account?</p>
<p style="text-align: right;">Page 226</p> <p>1 Q. Did you use any online platform</p> <p>2 such as Indeed to apply for jobs?</p> <p>3 A. Yes.</p> <p>4 Q. Do you still have a active Indeed</p> <p>5 account?</p> <p>6 A. I have the account. I think I</p> <p>7 suspended the profile so I would stop getting</p> <p>8 calls from recruiters.</p> <p>9 Q. Did you use any other online</p> <p>10 platforms other than Indeed to apply for jobs</p> <p>11 after you left Willert.</p> <p>12 A. I have a Career Builder account</p> <p>13 as well.</p> <p>14 Q. Did you use your Career Builder</p> <p>15 account to apply for jobs after you were</p> <p>16 terminated from Willert?</p> <p>17 A. I don't remember if I found any</p> <p>18 that I applied to or not. I don't recall.</p> <p>19 Q. Did you have any interviews with</p> <p>20 any potential employers other than Georgia</p> <p>21 Pacific between the time of your termination</p> <p>22 from Willert and when you began working for</p> <p>23 Georgia Pacific?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 228</p> <p>1 A. Oh, yeah. I guess, yes.</p> <p>2 Q. Under what name is your LinkedIn</p> <p>3 account listed?</p> <p>4 A. Matthew Reynolds. I'm not sure</p> <p>5 what the link is. Everyone gets a specific</p> <p>6 link. I don't know what the forward slash is.</p> <p>7 But I am Matthew Reynolds.</p> <p>8 Q. Did you ever post any comments</p> <p>9 about this lawsuit or the allegations involved</p> <p>10 in this lawsuit on LinkedIn?</p> <p>11 A. No.</p> <p>12 Q. During the time that you worked</p> <p>13 at Willert how many people did you supervise?</p> <p>14 A. Three, I believe.</p> <p>15 Q. Did those three people constitute</p> <p>16 other than you the entire maintenance team</p> <p>17 there?</p> <p>18 A. Yes.</p> <p>19 Q. Did you coach those three people</p> <p>20 on your maintenance team similar to how you</p> <p>21 testified earlier that you coached other</p> <p>22 employees at your prior jobs?</p> <p>23 A. One employee for sure and there</p> <p>24 was a teaching opportunity.</p>

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<p style="text-align: right;">Page 229</p> <p>1 Q. What did you do to coach that 2 employee? 3 A. We looked at a line diagram 4 together. And I explained to him -- it was an 5 electrical print. And I was explaining on the 6 print like how an SCR works, which takes up AC 7 wave form and turns into a DC wave form. So he 8 had not learned much about electricity before or 9 electronic controls. So I was sharing with him 10 what I knew about what we were looking at on 11 that piece of paper. 12 Q. During the time that you worked 13 at Willert did you ever have to oversee any of 14 the individuals you supervised perform repairs 15 on any of the machinery? 16 A. Yes. 17 Q. When you did that what 18 specifically did you do in order to oversee them 19 and their work? 20 A. Just make myself available. I 21 don't like to hide in the office. So just being 22 in proximity or going back and forth between job 23 sites, checking in with them, seeing if they 24 need anything, anything I can do to coordinate</p>	<p style="text-align: right;">Page 231</p> <p>1 were not receiving unemployment benefits? 2 A. Yes. 3 Q. How long and when? 4 A. Whenever the feds and state got 5 it messed up. There was couple of -- I think 6 one was in January or February. 7 Q. How long a period of time did 8 that last? 9 A. I think four weeks. 10 Q. Were you ultimately then provided 11 those benefits that you were not paid during 12 that time? 13 A. I don't remember. I don't think 14 I got it all back. 15 Q. In this case there has been a 16 claim that sustained damages that consist of 17 back pay, of pay that you would have earned had 18 you continued to work at Willert from the time 19 that you were terminated until the time that you 20 began working at Georgia Pacific. Are there any 21 other economic damages that you believe that you 22 sustained as a result of the conduct that you 23 allege on the part of Willert? 24 A. Maxed out my credit card, cashed</p>
<p style="text-align: right;">Page 230</p> <p>1 to help get the job done quicker. 2 Q. Would this involve you talking to 3 them or going near them while they were actually 4 performing work on the machinery? 5 A. Yes. Correction. There were 6 four employees. I just remember the fourth guy. 7 Q. Off the record. 8 (Discussion held off the record.) 9 BY MS. FICARO 10 Q. Mr. Reynolds, you previously 11 testified to an incident which a sibling of 12 yours was committed to a mental health 13 institute. When did that occur? 14 A. February 2020. 15 Q. Did you receive unemployment 16 benefits after you left Willert? 17 A. Yes. 18 Q. For how long did you receive 19 unemployment benefits? 20 A. Up until I got the job at Georgia 21 Pacific. 22 Q. Was there any period of time from 23 the time that you terminated from Willert until 24 you began working at Georgia Pacific that you</p>	<p style="text-align: right;">Page 232</p> <p>1 out some retirement early which will have tax 2 implications and long-term capital returns will 3 impact my savings. I have a number of bills in 4 collections still trying to get caught up with. 5 Q. Are there any other economic 6 damages that you are arguing you sustained in 7 this action? 8 A. I don't think so. 9 Q. What noneconomic damages do you 10 allege you sustained as a result of the conduct 11 you attribute to Willert? 12 A. Hard to quantify the emotional 13 physical effects on me, my wife and the kids. 14 My son has not said it but I can clearly tell I 15 lost the respect of my older son. My wife and I 16 both gained about 20 pounds after this thing 17 blew up. I was not myself. And I messed up 18 relationships with some of the most important 19 people in my life because I was so scattered. 20 And I was seeing doctors after 21 doctor there for a while. I was trying to 22 figure out what was wrong with me. I thought I 23 had like -- I ended up getting blood work done 24 too. Blood tests were showing that something</p>

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<p style="text-align: right;">Page 233</p> <p>1 was up but it ended up an endocrinologist said I 2 think you are okay physically. Talked to me 3 about panic attacks, like how a panic attack 4 feels like? You are dying. It was -- I don't 5 know how you quantify all that stuff. But there 6 is messes that -- I don't know how I will 7 restore the relationship with my son. It's 8 really if I get one syllable a day out of him it 9 is good. He doesn't even say hi to me. 10 Q. How was the relationship with 11 your son before you were terminated from 12 Willert? 13 A. We at least go out in the garage 14 and work out together, talk about his job. It 15 was good. He really is a good kid, a great 16 young man. I give him advice about things and 17 he would listened to me. And we would play 18 video games together. I would try to show 19 interest in whatever he is into to relate. It 20 was good. 21 Q. Is there anyone else whose 22 relationship you believe with whom your 23 relationship has been affected since you were 24 terminated from Willert?</p>	<p style="text-align: right;">Page 235</p> <p>1 Grosfillex did you tell your parents and your 2 sister and brother-in-law you were laid off from 3 there? 4 A. Yes. Because it was COVID 5 related. They restructures the company. Part 6 of the world of pandemic. Yeah. 7 Q. Were your parents and sister and 8 brother-in-law aware you were a medical 9 marijuana patient before you were terminated 10 from Willert? 11 A. No. Absolutely not. Still 12 don't. 13 Q. So you have not shared with them 14 you are a medical marijuana patient? 15 A. No. I really like to keep my 16 medical stuff private. But here we are. 17 Q. Is there anything in your life 18 that you believe you can't do now that you could 19 do before your termination from Willert? 20 A. I am back to work. For a while I 21 didn't know I can do that. I have not been able 22 to do any of the things that I enjoy. I have 23 always been a project guy. I build guitars or I 24 build gas bikes or I am always doing something.</p>
<p style="text-align: right;">Page 234</p> <p>1 A. It really made things 2 uncomfortable with my mom, my dad, and my sister 3 and brother-in-law. I lied to all them for 4 months. I didn't want to ruin Christmas. Hey, 5 guys. I got fired. I just sat on it. I kept 6 it all in. And I had to put on the hat. Gosh. 7 Sorry. Sorry. 8 I just had to put on a happy face 9 and just make up stories about work, how things 10 were going. And I would just take stories from 11 those first three weeks and expound on them like 12 I knew what was going on. I didn't want my 13 loved ones to have to deal with the pain that I 14 was dealing with. Like, you know, in a hard 15 time you need your loved ones to be there for 16 you. And they know now. But it made things -- 17 on one hand they kind of understand but on the 18 other hand I was lying to their face. It was 19 like, Matt, come on. There is a trust thing. 20 You know? 21 Q. So they are upset with you that 22 you lied to them about losing your job? 23 A. Yeah. It's made things awkward. 24 Q. After you were laid off from</p>	<p style="text-align: right;">Page 236</p> <p>1 I have a whole garage of tools and woodwork 2 supplies. But I have not been able to do 3 anything out there. 4 My bedroom looks like I was test 5 driving the horder lifestyle for months. It 6 still does. I have not been able to clean up, 7 basic housekeeping. Like pay pills. Like I 8 stopped paying bills for while. I didn't 9 realize I stopped. My anxiety -- I stopped. 10 And I'm getting better at that. I am getting 11 better. You got to pay bills. 12 Q. Why did you stop paying bills? 13 A. It was not a conscious decision. 14 I just -- I just like went into la-la land in my 15 head. I didn't know that I was not taking care 16 of things. 17 Q. Did you tell your wife that you 18 were not paying the bills? 19 A. At some point. And I was paying 20 the core ones. I made the mortgage payment. 21 Then when I get the shutoff note from the 22 internet, oh, I guess I should pay that. You 23 get the phone call. Like it was like I had to 24 be prompted to do each thing. The electric</p>

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<p style="text-align: right;">Page 237</p> <p>1 company only lets you go so long and then they 2 call you. Like, oh, yeah, sure. I will pay 3 that. Sorry. 4 Q. When did you stop paying the 5 bills? 6 A. November, December. I stopped 7 paying the health insurance. We got kicked off 8 the Obamacare plan because I stopped paying the 9 friggin health insurance premium. 10 Q. And the reason why you did that 11 is just because in your words you were off in 12 la-la land at that point? 13 A. Yes. I just couldn't handle 14 reality. Yeah. I was lost. 15 Q. I will share my screen with you 16 one more second. I will jump back for a moment 17 during the time you were at Willert. And I 18 marked a series of photographs as exhibits. I 19 will go through them just to show you the Bates. 20 But if you can see up at the top 21 right-hand corner of this screen -- and actually 22 let me rotate the view so you are seeing them 23 the right way. It will be the bottom. The 24 bottom of the screen then, the right-hand corner</p>	<p style="text-align: right;">Page 239</p> <p>1 Do you recognize that? 2 A. Yes. 3 Q. What is that? 4 A. That's one of the control panels. 5 I think that was outside of what they called the 6 mix room by the fillers. 7 Q. What housed -- what was located 8 at the mix room? 9 A. They had some tanks in there, 10 some mix tanks. They are like badge tanks that 11 make up a smaller batches for the fillers. 12 Q. Did that mix room -- is that 13 where mixing of chemicals occurred there at 14 Willert? 15 A. Yes. That was one of the 16 locations. 17 Q. How about this next picture here, 18 Willert 087. Do you recognize that? 19 A. Trying to place it just based on 20 the surroundings there. I know what it is. 21 Q. What is it? 22 A. That's the control panel in the 23 distribution cabinet. So that would have either 24 relays, motor control starters, PLC stuff. You</p>
<p style="text-align: right;">Page 238</p> <p>1 again, we have Bates labels. And it begins with 2 Bates Willert 0085. And it goes down 3 continuously through Willert 00104. Do you see 4 that there? 5 A. Yes. 6 Q. Take a look at the first picture. 7 Is this equipment that you recognized that was 8 located at Willert during your time there? 9 A. I am not contesting it's there. 10 I can't recall where that stuff is at. 11 Q. Do you see looking at the two 12 boxes there that have orange stickers on them 13 that say 480 volts, are those electrical panels? 14 A. Yes. They are safety disconnect 15 switches. 16 Q. Does the 480-volts suggest the 17 voltage associated with that? 18 A. Yes. 19 (Exhibit 9 was marked for 20 identification.) 21 BY MS. FICARO 22 Q. How about the next picture, 23 looking at Willert 0086. And I will ask this 24 whole set of photographs be marked as Exhibit 9.</p>	<p style="text-align: right;">Page 240</p> <p>1 can see all the conduit at the top. So it's 2 eight or ten pieces of equipment being 3 controlled out of that thing. And the knobs and 4 selector switches would be on bypass or on off 5 switches. The operator would use them. The red 6 knob on the left is the emergency stop. If 7 anything goes wrong anyone can walk up and slap 8 that. 9 Q. Did your role as maintenance 10 manager at Willert involve overseeing the 11 maintenance and repair of this cabinet we are 12 looking at in this photograph? 13 A. This certainly could have. I 14 don't remember like anything specifically of 15 that one while I was there. But it is part of 16 the equipment of the building. So it fell under 17 my responsibility. 18 Q. How about this next picture which 19 is marked Willert 088, what is that we are 20 looking at there? 21 A. Honor Guard? Production area -- 22 I can only guess that might be controlling 23 exhaust fans. But I'm not sure on that. 24 Q. Did your role as maintenance</p>

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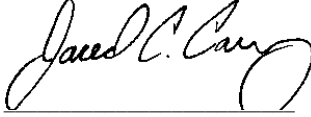
<p style="text-align: right;">Page 241</p> <p>1 manager involve overseeing and supervising the</p> <p>2 maintenance and repair of this cabinet we are</p> <p>3 looking at in Willert 0088?</p> <p>4 A. Yes.</p> <p>5 Q. We are now looking at Willert</p> <p>6 0089. The Bates on this document actually --</p> <p>7 let me rotate the photograph. If you look at</p> <p>8 that document what we are looking at there?</p> <p>9 A. I think that is a lighting panel.</p> <p>10 So that would control -- those are breakers, a</p> <p>11 breaker panel, that controls lighting throughout</p> <p>12 the plant. Those are on the right there is --</p> <p>13 there is a start and stop stations. I'm not</p> <p>14 sure what they controlled.</p> <p>15 Q. And the 480-volt sticker there,</p> <p>16 does that indicate there are 480 volts of</p> <p>17 electricity associated with that?</p> <p>18 A. Yes. The supply going into that</p> <p>19 would be a 480 supply.</p> <p>20 Q. Did your role as a maintenance</p> <p>21 supervisor at Willert involve overseeing and</p> <p>22 supervising maintenance and repair of this</p> <p>23 cabinet that we see in Willert 0089?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 243</p> <p>1 in this photograph here?</p> <p>2 A. Yes.</p> <p>3 MS. FICARO: Steve, also as an</p> <p>4 aside, these documents I am showing you</p> <p>5 have been marked confidential. I will just</p> <p>6 ask that this portion of the transcript</p> <p>7 with regard to the photographs be marked as</p> <p>8 confidential as well.</p> <p>9 BY MS. FICARO</p> <p>10 Q. Take look at Willert 092. What</p> <p>11 am I looking at in that picture?</p> <p>12 A. That is a control cabinet. I</p> <p>13 don't know what equipment that's running. But</p> <p>14 that is similar to other control cabinet that we</p> <p>15 saw earlier. Multiple pieces of equipment would</p> <p>16 be run out of that.</p> <p>17 Q. The stickers on there say 480</p> <p>18 volts. Does that mean there is 480 volts of</p> <p>19 electricity associated with this cabinet here?</p> <p>20 A. Yes.</p> <p>21 Q. As maintenance manager at Willert</p> <p>22 did your job responsibilities include overseeing</p> <p>23 and supervising the maintenance and repair of</p> <p>24 this cabinet in Willert 0092?</p>
<p style="text-align: right;">Page 242</p> <p>1 Q. Take a look now at Willert 0090.</p> <p>2 What are we looking at there?</p> <p>3 A. I believe that's a fork truck</p> <p>4 battery charger.</p> <p>5 Q. Would your work as maintenance</p> <p>6 manager at Willert involve overseeing and</p> <p>7 supervising maintenance and repair of that in</p> <p>8 this photograph?</p> <p>9 A. In the sense of coordinating</p> <p>10 outside contracting, yes.</p> <p>11 Q. The 480-volt sticker, does that</p> <p>12 indicate the electricity associated with that</p> <p>13 battery?</p> <p>14 A. Yes.</p> <p>15 Q. Looking at Willert 0091. And</p> <p>16 what am I looking at in that picture?</p> <p>17 A. The transformer. You see the</p> <p>18 480, 208, 120 at the top. That takes a 480-volt</p> <p>19 input voltage. And then it steps down. There</p> <p>20 is tabs in there that different supply voltages</p> <p>21 can be ran from that source.</p> <p>22 Q. Did your role as maintenance</p> <p>23 manager at Willert involve overseeing and</p> <p>24 supervising maintenance and repair of this shown</p>	<p style="text-align: right;">Page 244</p> <p>1 A. Yes.</p> <p>2 MR. AUERBACH: Can you read back</p> <p>3 the question?</p> <p>4 (The reporter read back the</p> <p>5 record as requested.)</p> <p>6 BY MS. FICARO</p> <p>7 Q. Take a look at Willert 094. What</p> <p>8 is this that we are looking in this photograph?</p> <p>9 A. I think that is the panel in the</p> <p>10 mix tank room. It used to be the Kiwi plant</p> <p>11 when it made shoe polish. That is a left over</p> <p>12 label. Anyway I think that this is in this mix</p> <p>13 tank room where the big tanks were. So that 480</p> <p>14 runs various pieces of equipment.</p> <p>15 Q. And there are 480-volt stickers</p> <p>16 on there. Does that mean there are 480 volts of</p> <p>17 electricity associated with that?</p> <p>18 A. Yes.</p> <p>19 Q. As maintenance manager at Willert</p> <p>20 did your job responsibilities include overseeing</p> <p>21 and supervising the maintenance and repair of</p> <p>22 this cabinet in Willert 93?</p> <p>23 A. Yes.</p> <p>24 Q. How about Willert 094, I will</p>

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<p style="text-align: right;">Page 245</p> <p>1 rotate that photograph. What is that we are</p> <p>2 looking at in Willert 0094?</p> <p>3 A. Another control panel. The thing</p> <p>4 on side there is a lunchbox -- is a safety</p> <p>5 disconnect.</p> <p>6 Q. And there is 480 volts of</p> <p>7 electricity associated with that?</p> <p>8 A. Yes.</p> <p>9 Q. Did your job responsibilities as</p> <p>10 the maintenance manager at Willert involve</p> <p>11 overseeing and supervising maintenance and</p> <p>12 repair of this machinery in here in Willert 094?</p> <p>13 A. Yes.</p> <p>14 Q. Willert 0095, what is that?</p> <p>15 A. Good question. Looks like a</p> <p>16 refrigerator. But it's not. That might be the</p> <p>17 welder in the maintenance shop. But I can't</p> <p>18 tell.</p> <p>19 Q. How about Willert 0096, what is</p> <p>20 in that photograph?</p> <p>21 A. I think that is another fork</p> <p>22 truck battery charger.</p> <p>23 Q. Is 480 volts of electricity</p> <p>24 associated with that?</p>	<p style="text-align: right;">Page 247</p> <p>1 where I see 480, 480, 480V, 480V. Does that</p> <p>2 designate the electricity voltage associated</p> <p>3 with that breaker panel?</p> <p>4 A. Yes.</p> <p>5 Q. Did your job as a maintenance</p> <p>6 manager at Willert involve overseeing and</p> <p>7 supervising maintenance and repair of this</p> <p>8 breaker?</p> <p>9 A. Yes.</p> <p>10 Q. In Willert 0099?</p> <p>11 A. Yes.</p> <p>12 Q. Looking at Willert 0101 what is</p> <p>13 that that we see in that picture?</p> <p>14 A. I can only read off the label</p> <p>15 there, a closed switch. That's a -- I think</p> <p>16 that is one of the main circuit breakers for the</p> <p>17 plastic room.</p> <p>18 Q. On the switch does it indicate</p> <p>19 there is 600 volts of electricity associated</p> <p>20 with that?</p> <p>21 A. I think that's the rating. Like</p> <p>22 the upper end of the rating. But below that it</p> <p>23 says 3 phase 480. I think the actual operating</p> <p>24 voltage is 480. But it is rated for 600.</p>
<p style="text-align: right;">Page 246</p> <p>1 A. Yes.</p> <p>2 Q. Did your job responsibilities as</p> <p>3 maintenance manager involve overseeing</p> <p>4 maintenance and repair of this charger in</p> <p>5 Willert 0096?</p> <p>6 A. Yes.</p> <p>7 Q. Willert 0097, I will rotate that</p> <p>8 picture. What is that in that picture?</p> <p>9 A. I think that's the main switch</p> <p>10 gear, the main on/off switch for the whole</p> <p>11 plant.</p> <p>12 Q. Are you able to tell how many</p> <p>13 volts of electricity are associated with that?</p> <p>14 A. I am just looking at the picture</p> <p>15 there I don't see any identification.</p> <p>16 Q. Did your job responsibilities as</p> <p>17 maintenance manager include overseeing and</p> <p>18 supervising maintenance and repair of what we</p> <p>19 see in Willert 097?</p> <p>20 A. Yes.</p> <p>21 Q. Looking at Willert 099. What is</p> <p>22 that in Willert 099?</p> <p>23 A. That's a breaker panel.</p> <p>24 Q. And there are different places</p>	<p style="text-align: right;">Page 248</p> <p>1 Q. Did your role as maintenance</p> <p>2 manager at Willert involve overseeing and</p> <p>3 supervising maintenance and repair of this</p> <p>4 switch depicted in Willert 01101?</p> <p>5 A. Yes.</p> <p>6 Q. Looking at Willert 0104. What is</p> <p>7 it that we are looking at in that picture?</p> <p>8 A. (inaudible) the scribbling on</p> <p>9 that is a metameter transformer. But I have to</p> <p>10 go with that. I don't recognize it otherwise.</p> <p>11 Q. Do you recognize having ever seen</p> <p>12 it Willert?</p> <p>13 A. I can't remember that one</p> <p>14 specifically. I don't know where that's at.</p> <p>15 Q. I will scroll up and then just</p> <p>16 ask with regard to Willert 0103 what are we</p> <p>17 looking at in that picture?</p> <p>18 A. That's control cabinet.</p> <p>19 Q. There are stickers on here for</p> <p>20 480 volts. Does that mean there is 480 volts of</p> <p>21 electricity associated with that control panel?</p> <p>22 A. Yes.</p> <p>23 Q. Does your job as maintenance</p> <p>24 manager at Willert involve overseeing and</p>

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<p style="text-align: right;">Page 249</p> <p>1 supervising maintenance and repair of this 2 control panel? 3 A. Yes. 4 Q. I am sorry? 5 A. Yes. 6 Q. Let me ask the question again so 7 the record is clear. Did your role as 8 maintenance manager at Willert involve 9 overseeing and supervising maintenance and 10 repair of the cabinet depicted in Willert 01103? 11 A. Yes. 12 Q. I will stop that share. Off the 13 record one moment. 14 (Discussion held off the record.) 15 BY MS. FICARO 16 Q. We asked earlier with regard to 17 other jobs and I just don't recall whether I 18 asked with regard to Willert. With regard to 19 lock out, tag out procedures at Willert, as 20 maintenance manager was it your responsibility 21 to ensure that those individuals on your 22 maintenance team whom you were supervising 23 properly employed lock out, tag out procedures 24 when necessary?</p>	<p style="text-align: right;">Page 251</p> <p>1 2 C E R T I F I C A T I O N 3 4 5 I, JARED CAREY, Court Reporter, 6 certify that the foregoing is a true and 7 accurate transcript of the foregoing deposition, 8 that the witness was first sworn by me at the 9 time, place and on the date herein before set 10 forth. 11 I further certify that I am neither 12 attorney nor counsel for, not related to nor 13 employed by any of the parties to the action in 14 which this deposition was taken; further, that I 15 am not a relative or employee of any attorney or 16 counsel employed in this case, nor am I 17 financially interested in this action. 18 19  20 21 Jared Carey 22 Court Reporter 23 and Notary Public 24 Date: August 31, 2021</p>
<p style="text-align: right;">Page 250</p> <p>1 A. Yes. Definitely. 2 MS. FICARO: Those are all the 3 questions that I have for you. 4 (Witness excused.) 5 (Deposition concluded at 5:03 6 p.m.) 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24</p>	